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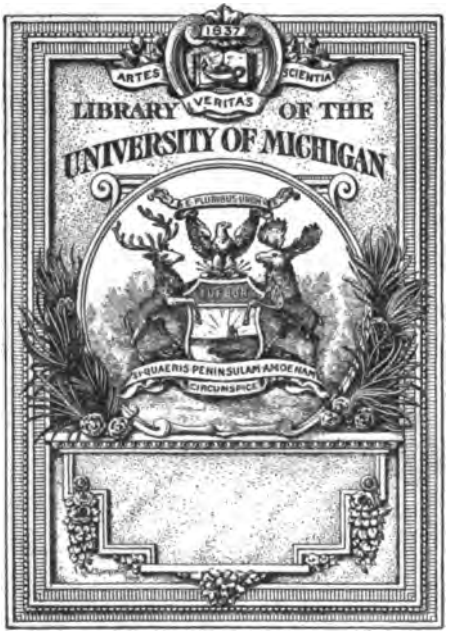

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Yours with great regard

Pierre Soulé

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THE

UNITED STATES MAGAZINE,

AND

DEMOCRATIC REVIEW.

1379

EDITED BY

THOMAS PRENTICE KETTELL.

NEW SERIES.

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THE

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CONSTITUTIONAL REFORM.

During the last ten years the attention of the people of the United States has been powerfully drawn to the subject of their constitutions, and within the last five years eleven State Conventions have been held, for the formation of eleven constitutions, for eleven of the old independent states, while many other states are still agitating the question; and seven conventions in new states have provided as many new constitutions for an equal number of new independent sovereignties. In all these constitutions many improvements, suggested by the working of the old ones, have been made upon the instruments; and the constitutions of the new states, having the advantage of the experience of the old ones, contain all the "latest improvements" adapted to the new state of things. The old constitutions which have been revised are as follows:

	Date of old Constitution.	Date of new one.		Date of old.	Date of new.
New-Hampshire	1792	1850	Ohio	1802	1851
New-Jersey	1776	1844	Indiana	1816	1851
New-York	1821	1846	Illinois	1818	1847
Maryland	1776	1851	Michigan	1835	1850
Louisiana	1812	1846	Kentucky	1799	1850
Missouri	1820	1847			

Some of these instruments were of venerable dates, and had not been influenced by the political experience accumulated in half a century of self-government. In all that time the fierce strife of parties in town, county, state, and federal elections, have conspired to interest the great body of the people in questions of government, and to impress upon them in a greater or less degree the theory of government, continually illustrated in its practical administration. The power has thus settled, as it were, more firmly into the hands of the people, who are more fully recognized as the depository of the great residuum of power. The circumstances under which this country was settled by colonists, who were so widely separated by time and distance from the mother country, compelled them to depend upon themselves for local government. The habit being thus forced upon them, the principles of government were evolved from the daily experience of

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those who were at the same time the governors and the governed. By the time that the increase of population compelled the meetings of delegates to supersede the town meetings of all the people, the electors of delegates were as well versed in the duties of legislatures as those whom they elected. But it became obvious, that as the people, in whom the whole power rested, and who exercised it in town meetings, now met only by delegations, that a written organic law should exist for the guidance of those delegates, and Virginia has the honor of being the first nation of the earth which assembled a convention of its most sagacious citizens, to draw up an instrument which was to form a fundamental law for the guidance of legislation, and which should be deposited among the archives of the state, where every one should be free to appeal to its text. This example was followed by all the other states, and by them collectively certain powers were granted to form a central government; as far as those powers go, the great residue of the power remaining with the states. All these state constitutions, not having had the benefit of much experience, were necessarily imperfect. That of the federal government has proved the best of all the constitutions, and its excellence will be found, probably, upon strict analysis, to rest upon the limited number of powers granted in it, and the precision with which the remainder are reserved to the several states, each of which has a political interest in jealously guarding the line of its own rights. This interest was actively present at the formation of the instrument, and was the conservative principle which, by compelling precision in the specification of powers granted directly to the federal government, and those prohibited to the states by the federal Constitution, has been the main cause of its durability. The powers granted in it are important and well-defined. They are kept actively in operation, and are of a nature to undergo very little change in the lapse of time, either in themselves or in their relation to the circumstances in which they operate.

The state constitutions, on the other hand, had no such opposing outside interests, which sought actively to restrict the powers which the legislatures were to derive from them. On the other hand, the politicians who formed the conventions sought rather to aggregate to the legislature, of which they might be called upon to form a part, or from which, by peculiar combinations, they might desire honor or profit, or both, at the expense of the people, more power than was either safe or proper. In professing to divide the governments into the three leading branches of executive, legislative, and judiciary, they aggregated to the executive the appointing power, in such a degree as to destroy the fancied security which was to be derived from the supposed separation. When the constitutions of the states were formed, at the close of the revolutionary war, or what might, with greater propriety, be called the "war of resistance," English ideas of government beset our statesmen, and the importance of separating the three powers of government was every where admitted. When, however, a constitution, which is an act of the people in their original character of sovereignty, was to be formed, the executive, or law-executing power was made a part of the legislative or law-making power, by making his assent necessary for a bill to become a law; and to him, also, was given the appointment of the judges who were to expound and execute the law, under his superintendence. Having thus not only the appointment of all the executive officers of the state, the number of which was increased at the expense of the reserved rights of the people, and also of the judiciary, who were to administer the laws, to the making

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of which his own voice was necessary, he held a patronage, which violated the principles of self-government, and which tended directly to the consolidation of all the powers of government in the hands of one of its branches. Gradually the evils flowing from this mingling of powers, which never would have taken place even in an inexperienced age, had the people, to whom all the powers belonged, been actively protected when conventions met to confer powers upon their delegates, have become manifest, and nearly all the new constitutions have placed the judiciary upon its true ground of direct responsibility to the people by election; and has also, in most cases, made all the executive officers, both local and general, elective. The executive head is thus severed from the judiciary, and his powers circumscribed to their more just proportions, as superintendent of the administration of the laws. In the following states, where the appointment of judge was, under the old constitution, in the hands of the governor, the elective principle has succeeded, viz., in New-York, Indiana, Kentucky, Maryland, New-Hampshire, Michigan. In the following the elections were by joint ballot of the two houses of law makers, and now by the people—New Jersey, Ohio and Illinois. In the new states the elective principle prevails, and, in nearly all the states where the judges are elective, the period of holding office is limited. To the same extent as the election of judges has been restored to the people, has the patronage of the executive been shorn of the appointment of local officers, which has been restored to the people, among whom and for whom their duties are exercised. By these means the three powers of government have become more effectually separated, and the political influence of the executive chief much diminished.

Reform has also extended to the law-making branch, and the powers and influence of those bodies restrained. For a long time the doctrine was sought to be inculcated, that as the immediate representatives of the people, the Legislature possessed the whole power of the state, including the granting of special privileges—the loaning of credits, and the unlimited power of borrowing money. Experience has brought with it the necessity of very clearly and pointedly forbidding the Legislature to exercise such powers—of circumscribing the power to grant charters, and depriving them altogether of the right of borrowing money on their own responsibility. The power of granting special privileges to corporate bodies—endowing them with larger credit and less liability for their engagements than is permitted to individual citizens, thereby building up a powerful influence adverse to impartial legislation, and also of becoming not only a monopoly builder of public works upon a grand scale, but the source of credit for corporate companies engaged in hazardous speculations, have been not only the means of serious pecuniary loss to the public at large, but the groundwork of political influence, on which has been reared the fortunes of parties and cliques, aided by a scaffolding of corruption.

To be convinced of this, one need but review the history of banking in this state for the last half century. The first applications for bank charters were made under the Constitution of 1777. Through the imperfections of that instrument—imperfections which sprang entirely from the inexperience of those who drew it, and of those by whom it was adopted—opportunities for such gross and flagrant corruption were afforded, that on three different occasions a majority in the Legislature was controlled by direct and unequivocal bribery. To propitiate the outraged feelings of the public, as well as to prevent the recurrence of such scandals in our legislation, the

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Convention who revised the Constitution in 1821, gave the subject a careful examination. The result was, the introduction of a clause requiring the assent of two-thirds of both Houses to create a moneyed corporation. Though this provision may have prevented much impure legislation, yet the remedial principle had only been approached, not reached. The delegates to that Convention had not then the experience in the operation of special legislation which the last twenty years have furnished. They little dreamed that in less than three years from the time their deliberations terminated, fifty thousand dollars would be disbursed among the members of the New-York Legislature in purchasing a single banking privilege—that of the Commercial Bank of New-York city—which since failed, involving the public in great loss; and that it would become a notorious fact, that in nearly every banking institution to be established by that body for the next twenty years, a large number of its members would have a deep pecuniary interest—that they would be the first, in one way or another, to participate in the profits of those very institutions which they, by their own votes, were to aid in creating.

The granting of these charters, which were to exert direct influence in their several localities, was an effectual means of organizing political support to the granting power, coming in aid of the appointment of local officers and the vast army of contractors, brokers, jobbers, and dependants, which resulted from the power to borrow money and construct public works, formed altogether a means of controlling and consolidating power at the expense of towns and counties, which was accumulating strength daily, until it even set at defiance the provisions of the Constitution. Thus the Constitution of 1821 provided that the assent of two thirds of the members elected to each branch of the Legislature should be requisite to every bill granting public money to private purposes. Notwithstanding which, over $3,000,000 of state bonds were granted to the Erie Railroad by a simple majority, and those illegal bonds are now a part of the state debt. In order to legalize them, the opinion of William H. Seward was purchased by the company to the effect that the Erie Rail-Road Company is not a private company, because the road is a "long one." The learned gentleman, with that flimsy sophistry for which he is remarkable, did not, however, define the length required to confer publicity upon a private road. The system of log-rolling for charters and loans necessarily reached a culminating point, and the revulsion of 1836-7 broke down, at a ruinous loss to the people of the state, many of the banks which had originated ten years previously in political corruption. Amid the universal panic and loss which these disasters occasioned, the general banking law was passed April, 1838. This provided that any number of persons might prosecute the banking business at any time, by complying with certain formalities, and depositing with the Comptroller of the state securities, which were gradually, under the spur of experience, restricted to bonds and mortgages, and New-York or United States 6 per ct. stocks, as a guarantee for the redemption of the circulating notes issued by them. The state debt had already reached a very high figure, $28,000,000, and works had been projected by speculators which, under the log-rolling system, were entitled to 75 millions of state credits to aid them. The means of paying the interest of the existing debt without borrowing, were already exhausted, and direct taxes, with a suspension of all state works, and loans of credits, had become inevitable. All these abuses made so vivid an impression upon the public mind, that they became a leading motive for

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summoning the Convention which formed the Constitution of 1846—which instrument restrains the Legislature from contracting debts or granting special charters to corporations, allowing it to enact only general laws for that object. In relation to debts, the provisions are as follows:—

Section 9. The credit of the state shall not, in any manner, be given or loaned to, or in aid of any individual association or corporation.

Section 10. The state may, to meet casual deficits or failures in revenues, or for expenses not provided for, contract debts, but such debts, direct and contingent, singly or in the aggregate, shall not at any time exceed one million of dollars; and the moneys arising from the loans creating such debts, shall be applied to the purpose for which they were obtained, or to repay the debt so contracted, and to no other purpose whatever.

Section 11. In addition to the above limited power to contract debts, the state may contract debts to repel invasion, suppress insurrection, or defend the state in war; but the money arising from the contracting of such debts shall be applied to the purpose for which it was raised, or to repay such debts, and to no other purpose whatever.

Section 12. Except the debts specified in the tenth and eleventh sections of this article, no debt shall be hereafter contracted by or on behalf of this state, unless such debt shall be authorized by a law, for some single work or object, to be distinctly specified therein; and such law shall impose and provide for the collection of a direct annual tax to pay, and sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal of such debt within eighteen years from the time of the contracting thereof.

In relation to corporations, the powers are thus defined:

Section 1. Corporations may be formed under general laws; but shall not be created by special act, except for municipal purposes, and in cases where, in the judgment of the legislature, the objects of the corporation cannot be attained under general laws. All general laws and special acts passed pursuant to this section, may be altered from time to time, or repealed.

Section 2. Dues from corporations shall be secured by such individual liability of the corporators and other means as may be prescribed by law.

Section 3. The term corporations, as used in this article, shall be construed to include all associations and joint-stock companies, having any of the powers or privileges of corporations not possessed by individuals or partnerships. And all corporations shall have the right to sue, and shall be subject to be sued, in all courts in like cases as natural persons.

Section 4. The legislature shall have no power to pass any act granting any special charter for banking purposes; but corporations or associations may be formed for such purposes under general laws.

Section 5. The legislature shall have no power to pass any law sanctioning in any manner, directly or indirectly, the suspension of specie payments, by any person, association, or corporation, issuing bank-notes of any description.

Section 6. The legislature shall provide by law for the registry of all bills or notes, issued or put in circulation as money, and shall require ample security for the redemption of the same in specie.

Section 7. The stock-holders, in every corporation and joint-stock association for banking purposes, issuing bank-notes or any kind of paper credits to circulate as money, after the first day of January, one thousand eight hundred and fifty, shall be individually responsible, to the amount of their respective share or shares of stock in any such corporation or association, for all its debts and liabilities of every kind, contracted after the said first day of January, one thousand eight hundred and fifty.

The "ample security" here required, is defined to be the bonds and

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mortgages on productive property, worth double the amount in New-York and United States stocks. The progress of banking, under the present law, has been such as to absorb nearly all these securities, and to raise the price of the lowest available descriptions to 8 per cent. premium. But the banking interest is an immense one, and the demand it creates for stocks for securities was a powerful lever in enabling the party in power to evade the above apparently sufficiently stringent provisions in relation to debt. Thus, inasmuch as that the canals yield nearly $800,000 per annum, in excess of the state expenses, interest on debt and sinking fund, and the constitution permits that surplus to be annually appropriated to the enlargement of the canals, the present legislature, which, in truth and justice, has command only of the surplus of the present year for which it is elected, undertakes to borrow nine millions of dollars, on pledge of the future revenues, which may not exist, and which, if they do, are under the control only of the future legislatures, during the existence of which they accrue. So palpable a violation of the constitution, on such terms, would be frustrated by the refusal of capitalists to take the scrip so issued; but the bank interest, which is compelled to find security for notes that it is anxious to issue, is allowed to deposit these scrips, which prudent capitalists will not buy, as security for notes issued to the public. Thus the contracts on the works are given to partizans of the so-called "woolly-head" party or Seward-men, who receive in payment these scrips, and sell them to the banks, who receive for them, from the comptroller, an equal amount of notes to circulate as money. This latter is circulated among the people, who will ultimately lose it. It is obvious that the existence of the surplus, on which the issues of these scrips are based, depends upon the rates of tolls and the amount of business done; consequently it is in the power of the next legislature to put the tolls at a rate which shall yield no more than the amount of money appropriated by the constitution—thus cutting off the supposititious surplus, on which this fraudulent loan is based. By attempting, through this violation of the constitution, to realize the surplus of ten future years in the present one, an immense political patronage is derived to the Seward party, who alone enjoy the expenditure; and these persons, including the Speaker of the House, openly jeer the "silver-grays," or old whigs, for their blind folly in aiding them to procure the means of consolidating their power, the accomplishment of which will be the signal for ostracising their good-natured friends. That Seward party has its origin in disregard for the federal Constitution, and finds its support in violating that of the state.

The abuse of this debt-creating power, has been the fruitful source of evil in many of the other states of the Union, particularly in Mississippi, where the term "repudiation," as applied to state debts, has its origin, in relation to the bonds of that state, issued in violation of the express provisions of the state constitution; and, although it is a disgrace to that state to have had a Legislature which would wilfully violate the terms of the instrument whence they derived their powers, it is no disgrace to the people that they would not suffer their organic laws to be violated with impunity. If New-York is now disgraced by a legislature which seeks to obtain money for party purposes, by committing a fraud upon the organic law, the people will know how to punish disobedient servants and their accomplices.

However much the course of Mississippi has been clamored against,

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by those who oppose legislative accountability, those events have had a powerful impression upon the public mind; and all the constitutions, new and revised, contain more stringent restraints upon the debt-contracting power. As an instance of the wide-spread and universal jealousy of the legislative action in this matter, we append the debt clauses from all the new constitutions:

CONSTITUTIONAL RESTRAINTS UPON PUBLIC DEBTS.

MICHIGAN.—The Legislature shall provide for an annual tax, sufficient, with other resources, to pay the estimated expenses of the State Government, the interest of the state debt, and such deficiency as may occur in the resources.

The state may contract debts to meet deficits in revenue. Such debts shall not in the aggregate at any one time exceed fifty thousand dollars.

The credit of the state shall not be granted to or in aid of any person, association or corporation.

No scrip, certificate, or other evidence of state indebtedness shall be issued, except for the redemption of stock previously issued, or for such debts as are expressly authorized in this Constitution.

The state shall not subscribe to or be interested in the stock of any company, association or corporation.

The state shall not be a party to, or interested in, any work of internal improvement, nor engaged in carrying on any such work, except in the expenditure of grants to the state, of land or other property.

CALIFORNIA; STATE DEBTS.—The Legislature shall not in any manner create any debt or debts, liability or liabilities, which shall, singly or in the aggregate, with any previous debts or liabilities, exceed the sum of three hundred thousand dollars, except in case of war, to repel invasion, or suppress insurrection, unless the same shall be authorized by some law for some single object, or work to be distinctly specified therein, which law shall provide ways and means, exclusive of loans, for the payment of the interest of such debt or liability as it falls due, and also to pay and discharge the principal of such debt or liability within twenty years from the time of the contracting therof, and shall be irrepealable until the principal and interest thereon shall be paid and discharged; but no such law shall take effect until at a general election it shall have been submitted to the people, and have received a majority of all the votes cast for and against it at such election, and all money raised by authority of such law, shall be applied only to the specific object therein stated, or to the payment of the debt thereby created, and such law shall be published in at least one newspaper in each judicial district, if one is published therein, throughout the state, for three months next preceding the election at which it is submitted to the people.

ILLINOIS.—*Section* 37. Each general assembly shall provide for all the appropriations necessary for the ordinary and contingent expenses of the government until the adjournment of the next regular session, the aggregate amount of which shall not be increased without a vote of two-thirds of each house, nor exceed the amount of revenue authorized by law to be raised in such time; *Provided*, the State may, to meet casual deficits or failures in revenues, contract debts never to exceed in the aggregate fifty thousand dollars; and the moneys thus borrowed shall be applied to the purpose for which they were obtained, or to repay the debt thus made, and for no other purpose; and no other debt, except for the purpose of repelling invasion, suppressing insurrection, or defending the state in war, (for payment of which the faith of the state shall be pledged,) shall be contracted, unless the law authorizing the same shall, at a general election, have been submitted to the people, and have received a majority of all the votes cast for members of the general assembly at such election. The general assembly shall provide for the publication of said law for three months at least before the

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vote of the people shall be taken upon the same; and provision shall be made, at the time, for the payment of the interest annually, as it shall accrue, by a tax levied for the purpose, or from other sources of revenue; which law, providing for the payment of such interest by such tax, shall be irrepealable until such debt be paid; *And provided further*, that the law levying the tax shall be submitted to the people with the law authorizing the debt to be contracted.

Section 38. The credit of the state shall not, in any manner, be given to, or in aid of, any individual, association or corporation.

OHIO.—*Section* 1. The State may contract debts to supply casual deficits or failures in revenues, or to meet expenses not otherwise provided for, but the aggregate amount of such debts, direct and contingent, whether contracted by virtue of one or more acts of the General Assembly, or at different periods of time, shall never exceed seven hundred and fifty thousand dollars, and the money arising from the creation of such debts shall be applied to the purpose for which it was obtained, or to re-pay the debts so contracted, and for no other purpose whatever.

Section 4. The credit of the state shall not in any manner be given, or loaned to, or in aid of, any individual, association or corporation whatever, nor shall the state ever hereafter become a joint owner or stockholder in any company or association, in this State or elsewhere, formed for any purpose whatever.

NEW-JERSEY.—"The Legislature shall not, in any manner, create any debt or debts, liability or liabilities of the state, which shall singly, or in the aggregate, with any previous debt or liabilities, exceed $100,000, except for purposes of war, or to repel invasion, or to suppress insurrection, unless the same shall be authorized by law, for some single object or work to be distinctly specified therein; which law shall provide the ways and means, exclusive of loans, to pay the interest of such debt or liability as it falls due; and also to pay and discharge the principal of such debt or liability within thirty-five years from the time of contracting thereof, and shall be irrepealable until such debt or liability, and the interest thereon, are fully paid and discharged: and no such law shall take effect until it shall, at a general election, have been submitted to the people, and have received the sanction of a majority of all the votes cast for and against it at such election; and all money to be raised, by the authority of such law, shall be applied only to the specific object stated therein, and to the payment of the debt thereby created. This section shall not be construed to refer to any money that has been or may be deposited with this state by the government of the United States."

"*The credit of the state cannot be loaned, directly or indirectly, in any case.*"

LOUISIANA.—"The Legislature shall not pledge the faith of the state for the payment of any bonds, bills, or other contracts or obligations, for the benefit or use of any person or persons, corporation or body politic whatever. But the state shall have the right to issue new bonds in payment of its outstanding obligations or liabilities, whether due or not; the said new bonds, however, are not to be issued for a larger amount, or at a higher rate of interest than the original obligations they are intended to replace.

"The aggregate amount of debts hereafter contracted by the Legislature, shall never exceed the sum of one hundred thousand dollars, except in case of war, to repel invasions, or suppress insurrections, unless the same be authorized by some law, for some single object or work, to be distinctly specified therein; which law shall provide ways and means by taxation, for the payment of running interest during the whole time for which said debt shall be contracted, and for the full and punctual discharge, at maturity, of the capital borrowed: and said law shall be irrepealable until principal and interest are fully paid and discharged, and shall not be put into execution until after its enactments by the first Legislature, returned by a general election, after its passage."

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"*The state shall not become a subscriber to the stock of any corporation or joint stock company.*"

TEXAS.—The aggregate amount of debts hereafter contracted by the Legislature, shall never exceed the sum of one hundred thousand dollars, except in case of war, to repel invasions, or suppress insurrections. And in no case shall any amount be borrowed except by a vote of two-thirds of both houses of the Legislature."

MISSOURI.—"*The General Assembly shall have no power to pass any law whereby any debt shall be created, that shall cause the entire indebtedness of the state, contracted under this Constitutim, to exceed at any one time, twenty-five thousand dollars*, except in case of war, insurrection or invasion."

MARYLAND.—"*Section* 22. No debt shall hereafter be contracted by the Legislature, unless such debt shall be authorized by a law providing for the collection of an annual tax or taxes sufficient to pay the interest on such debt as it falls due, and to discharge the principal thereof within fifteen years from the time of contracting the same, and the taxes laid for this purpose shall not be repealed or applied to any other object until the said debt and the interest thereon shall be fully discharged, and the amount of debts so contracted and remaining unpaid shall never exceed one hundred thousand dollars. The credit of the state shall not, in any manner, be given or loaned to or in aid of any individual, association or corporation, nor shall the General Assembly have the power, in any mode, to involve the state in the construction of works of internal improvement, or in any enterprise which shall involve the faith or credit of the state, or make any appropriations therefor. And they shall not use or appropriate the proceeds of the internal improvement companies, or of the state tax now levied, or which may hereafter be levied, to pay off the public debt, to any other purpose, until the interest and debt are fully paid, or the sinking fund shall be equal to the amount of the outstanding debt; but the Legislature may, without laying a tax, borrow an amount never to exceed fifty thousand dollars, to meet temporary deficiencies in the treasury, and may contract debts to any amount that may be necessary for the defence of the state."

INDIANA.—"*Section* 1. No act of the General Assembly shall authorize any debt to be contracted on behalf of the state, except to meet casual deficits in the revenue for the purpose of paying the interest on the state debt, to repel invasion, suppress insurrection, or, if hostilities are threatened, provide for the public defence."

IOWA.—"The General Assembly shall not, in any manner, create debts, liability or liabilities, which shall, singly or in the aggregate, with any previous debts or liabilities, exceed the sum of one hundred thousand dollars." The clause concluding in the same words as those of California.

WISCONSIN.—Same provisions as Iowa.

No matter what may have been the views of the people in relation to other constitutional provisions, there was no disagreement in relation to this matter of debt. All the legislations have been deprived absolutely of all discretionary power in the matter; and yet the Governor of New-York, in his last message, when advising an evasion of the constitution of this state, announced that the debt-restraining clause was passed by the people because the other provisions of the constitution were too desirable to be delayed on account of that clause. It is to be feared that the poli-

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tical jobbers and their speculative backers may succeed in other states, as in New-York, in evading or disregarding the provisions of their respective constitutions; but it is to be hoped that, at the first opportunity, an unmistakable expression of public opinion will promptly warn the jobbers that the behests of the people, as laid now down in the organic law, may not be disregarded with impunity.

The patronage which flows from the power to contract debts, and embark in the construction of public works, has thus, by the universal voice of the freemen of all the states, expressed in large majorities, been cut off. Not less has been the decisive mandate in relation to the granting of charters, and the restricting of the liability of corporate capital. The general principle of permitting capital to associate for the prosecution of any undertaking, without the trouble and expense of a special charter, by simply complying with certain forms laid down in general laws, is everywhere acknowledged; but, in nearly all the states, the justice of the individual liability of the stock-holders is admitted. We append here the constitutional provisions in relation to corporations, and it will be observed that they are particularly pointed at banking institutions:

CONSTITUTIONAL RESTRAINTS UPON CORPORATIONS.

New Jersey.—The assent of three-fifths of *the members elected* to each house, is required, for granting, altering, continuing and renewing any bank charter or money corporation, and all such charters are limited to a term not exceeding twenty-one years.

Louisiana.—*No corporate body shall be hereafter created, renewed, or extended, with banking or discounting privileges.*

Texas.—No corporate body shall hereafter be created, renewed, or extended, *with banking or discounting privileges.*

No private corporation shall be created, unless the bill creating it shall be passed by two-thirds of both houses of the legislature; and two-thirds of the legislature shall have power to revoke and repeal all private corporations, by making compensation for the franchise. *And the state shall not be part owner of the stock or property belonging to any corporation.*

Missouri.—No corporation, except for political or municipal purposes, or for the purposes of education or charity, shall be created, unless the bill creating the same shall contain a provision that the charter of such corporation may be repealed and annulled by a majority of both Houses of the General Assembly. And the stock-holders in all private corporations, except corporations for the purposes of education and of charity, shall be responsible, in their individual and private capacity, for all debts and liabilities of every kind incurred by such incorporation. Nor shall any corporation be created for a longer period than twenty years; and no corporation shall exercise any privileges prohibited in the preceding section. And the state shall not be part owner of the stock or property belonging to any corporation. Nor shall the common school or seminary funds, nor any other funds or moneys which the state may, at any time, hold in trust for the citizens of this state, be placed in, or loaned to any bank, or other incorporated institution.

The legislature shall prohibit, by law, individuals and corporations, except the Bank of the State of Missouri, and its branches, from issuing bills, checks, tickets, promissory notes, or other paper, to circulate as money.

Michigan.—*Corporations.*—Corporations may be formed under general

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laws, but shall not be created by special act, except for municipal purposes.

No banking law, or law for banking purposes, or amendments thereof, shall have effect until the same shall, after its passage, be submitted to a vote of the electors of the state, at a general election, and be approved by a majority of the votes cast thereon at such election.

The officers and stockholders of banks issuing notes shall be individually liable, and all banks shall deposit State or U. S. stocks as security for the redemption of their notes.

In case of the insolvency of any bank or banking association, the bill-holders thereof shall be entitled to preference in payment, over all other creditors of such bank or association.

The legislature shall pass no law authorizing or sanctioning the suspension of specie payments by any person, association or corporation.

Stock-holders of all corporations and joint-stock associations shall be individually liable for all labor performed for such corporation or association.

No corporation, except for municipal purposes, or for the construction of railroads, plank-roads, or canals, shall be created for a longer time than thirty years.

OHIO.—*Sec.* 1. The General Assembly shall pass no special act conferring corporate powers.

Sec. 2. Corporations may be formed under general laws, but all such laws may, from time to time, be altered or repealed.

Sec. 3. Dues from corporations shall be secured by such individual liability of the stock-holders, and other means, as may be prescribed by law, but, in all cases, each stock-holder shall be liable, over and above the stock by him or her owned, and any amount unpaid thereon, to a further sum, at least equal in amount to such stock.

Sec. 4. The property of corporations now existing, or hereafter created, shall for ever be subject to taxation, the same as the property of individuals.

Sec. 7. No act of the General Assembly, authorizing associations with banking powers, shall take effect, until it shall be submitted to the people, at the general election next succeeding the passage thereof, and be approved by a majority of all the electors voting at such election.

INDIANA.—*Corporations.*—*Sec.* 1. The General Assembly shall not have power to establish or incorporate, in this state, any bank or banking company or moneyed institution, for the purpose of issuing bills of credit, or bills payable to order or bearer, except under the conditions prescribed in this constitution.

Sec. 2. No banks shall be established otherwise than under a general banking law, except as provided in the fourth section of this article.

Sec. 3. If the General Assembly shall enact a general banking law, such law shall provide for the registry and countersigning by an officer of state of all paper credit designed to be circulated as money, on ample collateral security, readily convertible into specie, for the redemption of the same in gold and silver, shall be required, which collateral security shall be under the control of the proper officer or officers of state.

Sec. 4. The General Assembly may also charter a bank with branches, without collateral security, as required in the preceding section.

Sec. 5. If the General Assembly shall establish a bank with branches, the branches shall be mutually responsible for each other's liabilities upon all paper credit issued as money.

Sec. 8. The stock-holders in every bank or banking company shall be individually responsible to an amount, over and above their stock, equal to their respective shares of stock, for all debts or liabilities of the said bank or banking company.

Sec. 11. Every bank or banking company shall be required to cease all bank-

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ing operations within twenty years from the date of its organization, and promptly thereafter to close its business.

Sec. 12. The state shall not be a stock-holder in any bank after the expiration of the present bank charter, nor shall the credit of this state ever be given or loaned in aid of any person, association, or corporation; nor shall the state hereafter become a stock-holder in any corporation or association.

Sec. 13. Corporations other than banking shall not be created by special act, but may be formed under general laws.

CALIFORNIA.—*Section* 31. "Corporations may be formed under general laws, but shall not be created by special act, except for municipal purposes. All general laws and special acts passed pursuant to this section may be altered from time to time, or repealed.

Section 32. "Dues from corporations shall be secured by such individual liability of the corporators, and other means, as may be prescribed by law.

Section 33. "The term corporations, as used in this article, shall be construed to include all associations and joint stock companies having any of the powers or privileges of corporations, not possessed by individuals or partnerships. And all corporations shall have the right to sue, and shall be subject to be sued, in all courts, in like cases as natural persons.

Section 34. "The Legislature shall have no power to pass any act granting any charter for banking purposes; but associations may be formed under general laws for the deposit of gold and silver. But no such association shall make, issue, or put in circulation any bill, check, ticket, certificate, promissory note, or other paper, or the paper of any bank, to circulate as money.

Section 35. "The Legislature of this state shall prohibit by law, any person or persons, association, company or corporation, from exercising the privileges of banking or creating paper to circulate as money.

Section 36. "Each stockholder of a corporation or joint stock association shall be individually and personally liable for his proportion of all its debts and liabilities."

MARYLAND.—*Section* 45. "The Legislature hereafter shall grant no charter for banking purposes, or renew any banking corporation now in existence, except upon the condition that the stockholders and directors shall be liable to the amount of their respective share or shares of stock in such banking institution for all its debts and liabilities upon note, bill or otherwise; and upon the further condition that no director or other officer of said corporation shall borrow any money from said corporation; and if any director or other officer shall be convicted upon indictment of directly or indirectly violating this article, he shall be punished by fine or imprisonment at the discretion of the court. All banks shall be open to inspection of their books, papers and accounts, under such regulations as may be prescribed by law.

Section 47. "Corporations may be formed under general laws, but shall not be created by special act, except for municipal purposes, and in cases where, in the judgment of the Legislature, the object of the corporation cannot be attained under general laws. All laws and special acts pursuant to this section may be altered from time to time, or repealed; *provided* nothing herein contained shall be construed to alter, change or amend in any manner the article in relation to banks."

ILLINOIS.—*Section* 1. "Corporations, not possessing banking powers or privileges, may be formed under general laws, but shall not be created by special acts, except for municipal purposes, and, in cases where, in the judgment of the general assembly, the objects of the corporation cannot be attained under general laws.

Section 2. "Dues from corporations, not possessing banking powers or privi-

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leges, shall be secured by such individual liabilities of the corporators, or other means, as may be prescribed by law.

Section 3. "No state bank shall hereafter be created, nor shall the state own or be liable for any stock in any corporation or joint stock association for banking purposes, to be hereafter created.

Section 4. "The stockholders in every corporation, or joint stock association for banking purposes, issuing bank notes, or any kind of paper credits to circulate as money, shall be individually responsible, to the amount of their respective share or shares of stock in any such corporation or association, for all its debts and liabilities of every kind.

Section 5. "No act of the general assembly, authorizing corporations or associations with banking powers, shall go into effect, or in any manner be in force, unless the same shall be submitted to the people at the general election next succeeding the passage of the same, and be approved by a majority of all the votes cast at such election for and against such law."

WISCONSIN.—*Section* 1. "There shall be no Bank of issue within this state."

Section 2. "The Legislature shall not have power to authorize or incorporate, by any general or special law, any bank or other institution having any banking power or privilege, or to confer upon any corporation, institution, person or persons any banking power or privilege.

Section 3. "It shall not be lawful for any corporation, institution, person or persons, within this state, under any pretence or authority, to make or issue any paper money, note, bill, certificate, or other evidence of debt whatever, intended to circulate as money.

Section 4. "It shall not be lawful for any corporation within this state, under any pretence or authority, to exercise the business of receiving deposits of money, making discounts or buying or selling bills of exchange, or to do any other banking business whatever.

Section 5. "No branch or agency of any bank or banking institution of the United States, or of any state or territory within or without the United States, shall be established or maintained within this state.

Section 6. "It shall not be lawful to circulate within this state after the year 1847, any paper money, note, bill, certificate or other evidence of debt whatever, intended to circulate as money, issued without this state, of any denomination less than ten dollars, or after the year 1849, of any denomination less than twenty dollars."

IOWA.—*No corporate body shall hereafter be created, renewed, or extended, with the privilege of making, issuing, or putting in circulation, any bill, check, ticket, certificate, promissory note or other paper, or the paper of any other bank, to circulate as money.*

Corporations shall not be created in this state by special laws, except for political or municipal purposes; but the legislature shall provide, by general laws, for the organization of all other corporations, except corporations with banking or discounting privileges, the creation of which is prohibited.

The evils which the public suffered from the excessive debt and inordinate bank-expansion, were a lesson of experience which has not now been lost. Its effects upon the public mind are recorded in all the constitutions, and at this moment, when the losses have been recovered and general prosperity tempts to a renewal of the paper schemes of former years, those restraints are beneficially felt. The men, "greedy of other men's property and prodigal of their own," the hungry wolves who live on other men's earnings, are indeed combining with renewed hopes and re-

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awakened energies to prey upon the proceeds of the popular industry, and boldly attempt to overleap, evade or burst through the constitutional provisions which prevent a corrupt and time-serving legislature from squandering the property of the industrious upon the riots of the unworthy. Yet those very attempts, audacious as they are, will only impress upon the public mind the importance of the restraints, and at the same time indicate, like the attacks of an enemy, the points which most need strengthening.

One of the chief blessings of our glorious Union consists in the fact, that by its provisions the separate state governments are deprived of the power of levying customs duties, by which, under pretext of protection to transfer private earnings into corporate coffers, renders unnecessary all the patronage which would flow from state custom-houses, coast guards, preventive services, and the interests which would live on government bounty, under pretence of being "protected" from the competition of the industry of neighboring states. The exercise of these powers by the state governments, would have promoted, in an eminent degree, the natural tendency of capital to accumulate in the hands of the few. They would have aided the capitalists in preying upon the laboring man, whose property is his hands, whose reliance, whose food, whose productive freehold, whose all, is his labor, whose living is earned by industry alone, and that living is always made less comfortable by laws which tend to augment the luxury of the few.

Among other improvements which the new constitutions exhibit, is the limitation of the time spent in legislation, and the pay of the legistatures—when by general laws the whole business of granting charters is abolished, when loans of credit and government speculations in banks and public works are put an end to, a very considerable portion of the business which formerly occupied those law-makers is spared them, and their duties become circumscribed into a very small compass. Accordingly, most of the states find that 40 or 50 days, every two years, is quite often enough for the assembling of the legislatures. In some of the constitutions the number of days which each session shall occupy is directly stated, in others the number of days for which pay shall be drawn is stated. The provisions may be summed up thus:

SESSIONS AND PAY OF THE LEGISLATURE.

	Sessions.	Pay per day.	No. of days.	
ILLINOIS	*Biennial*	$2	40	....$1 per day thereafter.
MICHIGAN	*Biennial*	3	40	....No pay thereafter.
MARYLAND	*Biennial*	4	68	....Limit of sessions.
INDIANA	*Biennial*		60	.... " "
NEW-JERSEY	*Biennial*	3	40	....$1 50 per day thereafter.
IOWA	*Biennial*	2	50	....$1 per day thereafter.
LOUISIANA	*Biennial*	4	60	....No pay thereafter.
TEXAS	*Biennial*	Not specified.		
MISSOURI	*Biennial*	" "		
OHIO	*Biennial*	" "		
NEW-YORK	*Annual*	3	100	....No pay thereafter.
WISCONSIN	*Annual*	2	40	....$1 per day thereafter.
CALIFORNIA	*Annual*	Not specified.		

These provisions are all intended to keep members to work, and promote the dispatch of public business. But it is difficult to frame provisions which may not be evaded. Thus, the Illinois legislature receives $2 per day for 40 days. It has already occurred that adjournment took place

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at the end of that time, leaving unfinished business which required an extra session at $2 per day to finish. In Indiana, the regular session cannot last longer than 60 days, nor special sessions more than 40 days. In Maryland the sessions must rise on the 10th March.

In the last ten years some other general issues have been agitated, but the public mind has not been so fully prepared in relation to them as upon those of debt, corporations, elective judiciary, and limited legislation; we allude to women's rights, homestead exemptions, and land reform. The latter, indeed, is at present, and must continue for centuries, a mere nullity in this country, where the finest land, in any quantity, can be had for nothing. Land reform, where land is free, is an absurdity; a high price for land in thoroughly settled districts, is the form in which the occupier pays for many other privileges besides that of merely living upon the land; such as access to market, facility of getting supplies, and the various benefits of society. When these advantages are not to be had, the land is of little value, although superior in productive qualities.

The right of suffrage seems to have undergone no change. In all the states every free white male of the age of 21 is alone entitled to vote. In Michigan and Wisconsin, persons of Indian descent are permitted to vote; but, in all, blacks are excluded, except with property qualifications. The Indiana Constitution expressly states that "no negro or mulatto shall have the right of suffrage;" and, in those states most exposed to the influx of blacks, stringent laws are required to keep them out. The Constitution of Missouri provides:

"It shall be the duty of the General Assembly, as soon as may be, to pass such laws as may be necessary. *First*, to prevent free negroes and mulattoes from coming to and settling in this state, under any pretext whatever."

That of Indiana is as follows—

Negroes and Mulattoes.—Sec. 1. No negro or mulatto shall come into or settle in this state after the adoption of this Constitution.

Sec. 2. All contracts made with negroes or mulattoes coming into this state contrary to the provisions of the foregoing section, shall be void; and all persons who shall employ, or otherwise encourage such negroes or mulattoes to remain in this state, shall be fined in any sum not less than ten dollars, nor more than five hundred dollars.

Sec. 3. All fines which may be collected for a violation of any of the sections of this article, or of any law hereafter passed by the Legislature, for the purpose of carrying out the provisions of this article, shall be appropriated and set apart for the colonization of such negroes and mulattoes and their descendants, as may be in this state at the adoption of this Constitution, and may be willing to emigrate.

The Illinois Constitution has a similar provision, as follows: "The General Assembly shall, at its first session under the amended Constitution, pass such laws as will effectually prohibit free persons of color from immigrating to and settling in this state; and to effectually prevent the owners of slaves from bringing them into this state, for the purpose of setting them free." This clause was submitted separately to the people, and adopted by twenty thousand majority. These provisions have been supposed to conflict with that clause of the Federal Constitution which makes all citizens of the United States entitled to the privileges of all the states. At the time the Constitution was formed, blacks

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were not citizens, and cannot so be considered now. The clause does not say any description of persons whom any state may hereafter make citizens. Massachusetts, for the mere indulgence of a turbulent disposition, has repeatedly quarrelled with South Carolina for laws similar in effect to those required by the Constitutions of the Western states, and yet she has never complained of Illinois or Ohio.

Maryland, we believe, was the last state in which imprisonment for debt was retained, and that has now been swept away by the admirable constitution just ratified by its people. Constitutional reform was much needed in Maryland on many accounts, more particularly in relation to the unequal representation which existed there. So great was the injustice felt to be by many, that serious thoughts of physical resistance were entertained by some parties, unless the privileged majority should consent to a convention. Happily, however, agitation produced its legitimate influence, and the now admirable Constitution has been the result of an able convention.

After the lapse of nearly half a century, the necessity of constitutional reform has generally manifested itself, and some few steps in advance have been made. We trust now that the matter will not sleep, but that, at periods within 20 years, some further well-digested reforms will be introduced into the organic laws of all the states.

Notwithstanding the repeated efforts of France, and the example of the states of America, no state constitution has, as yet, taken permanent ground in Europe. The reason seems to be, that the fundamental idea on which a constitution must alone rest, viz., the sovereignty of the people, has in no degree, as yet, been fully appreciated. Thus the fresh Constitution of 1838, defective as it was, solemnly guaranteed the right of universal suffrage; and, although it was the work of a half-dozen corrupt, conceited, and superficial men, was adopted by the country. A President was elected, and a legislative body assembled under it. Those were elected by the universal suffrage of the whole French people; yet so little respect was entertained for the instrument, that this Assembly enacted a law in the first term of its existence, depriving one-third of their constituents of a voice in the government. Such restrictions upon the right of suffrage were imposed by a mere law, that nearly three millions of souls were disfranchised. The minister of justice reported:

Electors inscribed under the Constitution	9,618,057
Electors inscribed under the law of March, 1850	6,809,281
Frenchmen disfranchised by the servants they had elected	2,808,776

It is now probable that the French President will procure a restoration of the right of universal suffrage to serve his personal interest. This disregard of written instruments arises from the fact, that in a monarchical country, where the uneducated people have always looked up for power, the habit is stronger than the right to exercise the power themselves. It is true that in New-York the Seward party have passed a law to borrow money for purposes of party corruption; but they have preserved a show of respect to the Constitution, by attempting, however sophistically, to show that the debt is not forbidden. The success of such a measure, violating the spirit of the Constitution, may soon embolden them to violate its letter, by a simple law passed by participants in the plunder.

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THE "HUNDED DAYS OF NAPOLEON."

WHATEVER relates to the career of Napoleon Bonaparte possesses an interest that belongs to no other portion of the world's history. His sudden rise from obscurity, being flung, as it were, from the vortex of the French Revolution upon the stage of action; his brilliant course and his downfall, come to us so full of romance, that we hardly know whether to credit them as realities. With no other friend than his sword, he entered the lists with the titled nobility of Europe, and soon outstripped them all in the race; and without the influence of birth or fortune, he seated himself upon the throne of Saint Louis, and swayed the sceptre of France. For almost a quarter of a century, he was, by turns, the benefactor and the scourge of France and the rest of Europe. He obtained a mastery over the minds of men, which no other one in modern times has ever possessed, and he swayed nations almost with the same ease that the winds control the sea. His downfall and retirement into almost the same obscurity from whence he came, furnishes us with one of the most truthful lessons ever written in history, and wisdom, which speaks alike to the hearts and minds of men, may be gleaned from every page. It teaches us how frail is all human greatness—that the honor and power of kings, as well as the hopes of humble men, can pass away in a single day. It shows us how uncertain is worldly glory, and that we should fix our hopes of happiness upon something more stable than that which ceases to exist with the downfall of dynasties. How sudden and terrible was his reverse of fortune! One day he was the emperor of millions, who feared and obeyed him; the next, he was shorn of his power, and his name the jest of the lowest rabble of the Faubourgs. These changes are the vicissitudes of life, and they never occur, either to men or nations, without leaving to the world a useful lesson for coming generations.

The "Hundred Days of Napoleon" embraces that period extending from his return from Elba, where he was banished, in 1814, to his final abdication in 1815, and is the most interesting portion of the history of Europe, either ancient or modern. The history of this period is so called, because the time between the happening of these two events was just one hundred days. Probably no portion of history for the same length of time presents to the reader a train of events which have caused more wonder and admiration, or had a greater influence upon the European world.

The decline of Napoleon's power may be dated from his unsuccessful campaign in Russia in the year 1812; but it is useless now to stop to detail the causes which led to these reverses; they are known to every reader of history. The advantages which the Russians gained over him in this disastrous expedition gave new energy to the allies, and afterwards new foes presented themselves on every side. Instead of having a single power to combat, he found all Europe arrayed against him. The campaigns of 1813 and 1814 were replete with brilliant events, and they called into ac-

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tion all the talents and energy of Napoleon. By his untiring activity, he raised new armies as fast as old ones had disappeared before the murderous fire of the allies, and always presented a formidable front to the enemy. His genius never shone with more brilliancy, and he performed feats of valor, and gained victories, which appear to have been the result of efforts almost superhuman. Always combating with superior numbers, he had to rely solely upon his own skill for success. These two campaigns are marked by some of his finest strokes of generalship, and alone would be sufficient to give him rank among the first commanders of ancient or modern times. But overwhelming numbers finally triumphed, and he was driven back upon the frontiers of France, and at last to Paris.

The allies, flushed with victory, entered the territory of France in the winter of 1814, and marched direct upon the capital, which they entered the last day of March. The battle of Paris, the closing act in the bloody drama, was fought on the 30th day of March, and Napoleon was compelled to surrender his crown and throne to the victorious enemy.

The entry of the allied armies into Paris was a splendid sight to gaze upon, but deeply humiliating to the French soldiers, many of whom were obliged to witness the pageantry. All was activity in the allied camps, after the victory under the walls of the capital, and the whole army was placed in the most perfect order, that the display in marching into the city might be as brilliant as possible. At noon-day, on the last day of March, 1814, a hundred thousand men, the most splendid troops in Europe, defiled through the streets of Paris, and took possession of the city. Napoleon, with the small force under his command, retired to Fontainebleau, from which place he opened negotiations with the allied powers, through the agency of Caulincourt. At first, the allied emperors wished him to abdicate in favor of his son, which he refused to do; but afterwards, consulting with Ney, Berthier, Lefebvre and others, he had drawn up and signed such an abdication, with the empress as regent. These terms he sent to Paris, but were rejected by the allied sovereigns, who obliged him to sign an unconditional surrender of his throne. A scene of baseness now commenced at Fontainebleau, which was disgraceful in the extreme, and everlastingly sullied those who were guilty of it. As soon as Napoleon's abdication was known, and the power which he had so long possessed was about to pass into other hands, almost every person of any note around him, deserted to the allies. What baseness! what perfidy! So great was their anxiety to hear of his abdication, in order that they might hasten to Paris, and make favor with the new dynasty—every time the door of the emperor's room was opened, it was filled with heads to learn if the important event had happened. Maret, Caulincourt, and a few others of the host whom he had raised from obscurity, with a nobleness of soul which rose far above any selfish desires, remained firm to the fortune of their fallen chieftain to the very last.

A formal treaty was concluded, and signed by Napoleon and the allied sovereigns, on the 11th day of April. By this treaty Napoleon renounced, for himself and his descendants, the crowns of France and Italy, but he was allowed to retain the name of Emperor, and his brothers and sisters, nephews and nieces, were also allowed to retain their respective titles. The island of Elba was selected as his future residence, which was recognized as an independent principality—a sort of miniature kingdom. They

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decreed him, as a yearly revenue, two millions five hundred thousand francs from the treasury of France, and a separate allowance to Josephine of one million francs yearly. He was allowed to take with him all his personal effects, and four hundred of his old guards. He set out for Elba on the 20th of March. His parting from his faithful troops and the few personal friends who yet remained loyal to him, was affecting in the extreme, and drew tears from all who witnessed it. The old guard, who, as it were, had borne his imperial diadem on their bayonet points, and carried his victorious banners into every capital in Europe, were drawn up on the plains of Fontainebleau to receive his farewell. Napoleon, surrounded by a few faithful generals, went among the soldiers, and amid a breathless silence and tearful eyes, addressed them a few parting words. So strong had the attachment become between the great leader and these trusty followers, that his emotions in saying farewell almost overpowered him. With a great effort he tore himself from the embrace of those who surrounded him, sprang into his carriage, and rode off. He was escorted by a large body of troops to the port of Fejus, where he embarked on board an English frigate for his place of destination.

Louis XVIII. was called to the throne, and the order of succession established as it was before the revolution. He entered Paris on the 3d of May, from England, where he had passed an exile of twenty-five years, and immediately ascended the throne of his ancestors. The treaty of Paris was signed on the 30th of May, which provided that France should be reduced to its original limits as they were on the 1st of January, 1792. Holland was to be an independent state, governed by the house of Orange. Germany was to be independent, under the guarantee of a federal union. Switzerland was also to be independent, under a government of her own, and Italy divided into sovereign states. Provision was also made for the free navigation of the Rhine, and the restoration of the West India Islands to the powers from which they were captured. And in addition to these public provisions, there were some secret articles in the treaty, which related chiefly to the disposition of a large district of territory which Napoleon had taken from different states of Europe.

In the latter part of May, the allied sovereigns made a visit to England, and upon their return, withdrew their respective forces from France, and left Louis in quiet possession of his throne.

The events which now follow are considered as the principal causes which led to the return of Napoleon from his exile at Elba, and again involved Europe in a bloody war. Every reader knows the simple fact, that Napoleon returned to France from his place of banishment, and after being in power a short time, was overthrown at the battle of Waterloo; but few, comparatively, are familiar with the train of events which led to his return.

Napoleon being in exile, and the allies having returned to their respective countries, it became the dutty of Louis to reorganize the governmen; and a task more difficult to perform, than that which now devolved upon the French monarch, never fell to the lot of a sovereign. During the dreadful struggle which had preceded the fall of the Empire, the lesser evils were forgotten in the great desire for a change. But now that Napoleon was stricken down, and the cause which firmly bound together all who opposed him had ceased to exist, and they came to remodel the government, difficulties, which were almost irreconcilable, appeared among

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them. While they were arrayed against Napoleon, whom they deemed a common enemy, there was a unity of sentiment, and a concert of action; but he had no sooner surrendered his power, than jealousies, as rancorous as those which had severed the Empire, arose. In remodelling the government, so many different and conflicting interests had to be conciliated, and so many desires satisfied, that the king found it utterly impossible to establish it upon a stable foundation. The historian of those times says—"The seeds of the disunion which paralyzed the restoration, were beginning to spring up even before Louis XVIII. had ascended the throne, and his subsequent reign, till the hundred days, was but an amplification of the causes which produced the return of Napoleon."

The veterans of the revolution, and the republicans of the senate, had joined with Talleyrand and the royalists to overthrow Napoleon, with the express understanding that in the formation of the new government they were to be amply provided for.

A great difference of opinion prevailed as to the extent to which the popular power should be revived upon the restoration. This was the source of much angry feeling. Some mentioned openly, that the constitution of '91 was to form the basis of the new government, with strong guarantees against any encroachment by the monarch on the rights of the people. These divisions of opinion soon created parties, who took sides under leaders, and arrayed themselves against each other. Unmindful of advice from any quarter, the French king determined to have his own way, and to form the government upon such a plan as he deemed most conducive to the glory of his kingdom. He had made up his mind to take a middle course, and by conciliating both the royalists and the republicans, obtain their united support, and thus render his seat on the throne firm and easy. Blind and infatuated monarch! he should have already learned from history, that that ruler who endeavors to draw to himself the support of two rival parties by conciliating them, gains the ill will and opposition of both, and thus paves the way to his own overthrow.

In a few days after the king had ascended the throne, he called a convention for the purpose of forming a constitution, or rather a charter of government; and after a session of five days, they promulgated one, by which the French people were to be governed under the new order of things. It made the government a monarchy, and in many instances gave the king almost absolute power. Under the Empire, suffrage was universal—this was now abridged, and a property qualification for electors was introduced, which deprived a majority of the people of the right of voting. It was a serious cause of alarm, and the people showed an unwillingness to be deprived of a single right they had enjoyed under the reign of Napoleon.

Without a doubt, the joy at the restoration was, at first, sincere; but after the excitement was over, and the allies had been withdrawn, the losses and reverses which had overtaken them, together with the sadness of the change, seemed to sink into the very soul of the nation. Whole classes were in a state of uneasiness, caused mainly by the uncertainty of the future. The holders of national domain, which had become private property under the laws of the Empire, considered the guarantee the government gave them, as insufficient to secure their possessions. The regicides, whose hands had been stained in the blood of the revolution, considered the restoration as a judgment upon their former bad conduct, and

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trembled lest punishment should yet be meted out to them. The marshals and generals who had received large estates from Napoleon, in the different conquered provinces, now separated from France, as a compensation for their valuable services, felt great disquietude at the thought of being deprived of them, and left in their old age without the means of support. The army, driven back into France in disgrace, was almost in despair, and ready for any change of fortune that might enable them to regain the laurels they had lost. The excitement of the camp and the battle-field, the march and the bivouac, were now at an end, and distributed in the various provincial towns, they were compelled to lead an inactive life. The tens of thousands of workmen who had been employed on the different public works in the various provinces now severed from the Empire, came flocking in crowds to Paris. The palace of the Tuilleries was besieged from morning until night by clamorous crowds—the republicans asking for employment and relief—while the royalists, who had shared a twenty-five year's exile with their monarch, demanded some remuneration for the losses they had sustained. With an empty treasury, and no immediate means of supplying it, it was impossible to answer these pressing demands. The army was several months in arrears in their pay, and both officers and men were loud and angry in their claims. In this state of affairs, the course pursued by the Bourbons in the administration of the government, was weak in the extreme. The king, trying to please everybody, pleased nobody. He worked to retain in office all the imperial functionaries whom he knew were much more competent to manage affairs than his own friends, the royalists. At this the latter were highly displeased, and considered themselves but illy repaid for all the sufferings and privations they had endured for their exiled king.

The army was treated in a manner well calculated to create discontent. The national colors, which had become an object almost of holy reverence to the French soldiers, and which were associated with all their victories and glorious memories, were abolished, and the white flag of the hated Bourbons substituted in their stead. The organization of the army was changed, and in such a manner that the different corps almost entirely lost their old identity under their new names. The numbers of the different regiments of infantry, artillery and cavalry, were altered, thereby, in a great measure, destroying the association of names with their former achievements, and even reducing the imperial veterans to a level with the newly-raised recruits. The eagles were wrested from the standards, but generally concealed by the officers; and the tri-color cockade, which the men were now forbidden to wear, was hidden by them in their knapsacks. The tri-color standards, which had waved in triumph over so many victorious fields, were ordered to be given up, but the soldiers generally burned them, saying they would, at least, preserve their ashes. The grades of all the officers were changed, substituting those of the old monarchy. The old imperial guard, which had always occupied the post of honor at the palace, were removed, and their place supplied by the Swiss guard, and other foreign troops. Neither the officers nor soldiers were allowed to make any allusion to the name of the Emperor. The army was much reduced—first, to one hundred and forty thousand, and then to eighty thousand men. An ordinance was passed which placed every officer not in actual employment, on half pay, and those who were not in active service

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were forbidden to reside at Paris, unless already living there. These changes had a powerful effect on the troops, and they brooded over their wrongs in sullen silence. All parties laid aside their previous animosities, and directed their combined efforts to make the new government unpopular, hoping by this means to overthrow it. They found fault with everything that was done, and took care always to throw the blame on Louis. Although the king had selected able men for his cabinet, yet the steady opposition they encountered from all parties, brought his government into difficulty daily. The errors of his civil administration were numerous, and contributed towards his downfall. An ordinance was passed prohibiting the ordinary work on Sunday, which caused a large portion of the lower classes to murmur. During the days of the revolution and the empire, they had been allowed to pursue their labor on all days alike, and now they did not like this restraint. The old noblesse treated the wives of the nobles of the empire with marked disrespect, and none of them were allowed situations in the household. The king abolished the order of the Legion of Honor for that of Saint Louis. This measure was very unpopular with the officers and soldiers, many of whom had been decorated with the former for their bravery on the field of battle. While the king wished to conciliate the imperialists, and have their aid in the administration of affairs, he took no pains to conceal from them his aversion to the principles of the revolution. In fine, Louis possessed neither the courage nor the ability to contend successfully with all these difficulties, and it is not at all surprising that he gave way under them.

While the French King was then endeavoring to heal up the wounds caused by the revolution, and to establish order in his dominions, events of the most vital importance were taking place in another quarter of Europe. We allude to the Congress of Vienna.

The allied sovereigns originally intended that the Congress should meet about the latter end of July, (1814), but by reason of their visit to England, and their return to their own capital, it was not convened until about the first of the following November. Probably no legislative body of men, which have assembled in Europe in modern times, have attracted more attention than this Congress of Sovereigns at Vienna. The eyes of the whole civilized world were upon them, and it was expected that their proceedings would have an important bearing on the general welfare of Europe. But the true cause of their meeting was very different from that alleged, and as much as they endeavored to conceal it, they were unable to hide from the people of Europe the real objects they had in view. For many years previous to the overthrow of Napoleon, liberal principles had been gradually making their way among the people of Europe. Kings were denied the divine right to rule. The people were becoming awakened to a sense of their own legitimate rights, and were determined to loose the shackles which had hung around them, and to stand forth as their own masters. They now began to feel within them, that the same hand which had made them immortal, also made them free. Their hearts beat a hearty response to the sentiments which the western winds wafted from their brethren in the new world, and like them, they desired to say who should be their rulers and make their laws. This freedom of thought—this newborn energy which was quickening in the hearts and in the minds of the people, made the monarchs of Europe tremble. To meet a crisis like

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this, and also to arrange matters arising out of the Treaty of Paris, were the immediate causes which induced the assembling of the Congress of Vienna.

They there formed the "balance of power," which, in plain English, is nothing more nor less than a union of the most powerful states of Europe, who pledged themselves to use their combined force to put down any attempt of the people to reform their governments. This combination of kings against the liberties of the people, was remodelled at Paris in 1815, after Napoleon's second abdication, under the name of the "Holy Alliance," at which time their political principles were promulgated to the world. This "Holy Alliance" (unholy it should have been called), since that time has had two important meetings, one at Trappeau in Austrian Silesia, in 1820, after the close of the Neapolitan revolution—and the other Layback, in January, 1821. Among other matters which claimed the attention of the allied sovereigns at Vienna, was the disposition of a territory containing more than thirty millions of people, which was to be divided among them for their services in dethroning Napoleon. They found as much difficulty in agreeing about the disposal of this territory, as the French king had in organizing his government. It was found almost impossible to satisfy the various interests which were claiming indemification, each demanding more than the others were willing to allow. The alliance was completely broken for a time—the breach was widened daily, and nothing but the sudden return of Napoleon from Elba at this juncture of affairs, prevented an open rupture between the allied sovereigns.

The Emperor of Russia claimed the whole of the Grand Duchy of Warsaw as an indemnification for the losses he had sustained, and said it would be worth his crown and throne to return home without an adequate remuneration. In support of this claim, he offered a very potent argument, which was, that he had three hundred thousand troops ready to march, at a moment's warning, to any point in Europe. In this demand Alexander was supported by the King of Prussia, who was wholly in his interest. France, Austria and England opposed these ambitious views. The divisions ran high, and each party prepared for war. The Emperor Alexander halted all his troops who were returning to Russia, in Poland, and the Grand Duke Constantine, who commanded them, issued a flaming proclamation to the Poles, telling them that the Emperor wished to restore to them their old nationality, calling upon them to rally around his standard. In the meantime a secret treaty had been concluded between Austria, England and France, and signed at Vienna the 3d day of February, 1815, by which the contracting parties mutually pledged themselves to support each other, in case of war, and to carry out in full force the treaty of Paris. Affairs were in this situation when the news was brought to Vienna, that Napoleon had secretly left Elba, and had landed on the coast of France. It was like a bomb-shell in the camp of the allies—all was consternation and alarm. Minor difficulties were healed at once, and they thought only of preparing to meet their common enemy. The Congress soon adjourned, and the sovereigns hastened to their respective capitals, to prepare for the conflict. The news of the return of Napoleon astonished all Europe, and so well aware were the allies of the danger that menaced them, that soon they had more than a million of troops in arms, and converging from different points towards France. The saying of Chateaubriand, "that if the cocked-hat and surtout

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of Napoleon, were placed on a stick on the shores of Brest, it would cause Europe to run to arms, from one end to the other," seemed almost verified in this instance.

Let us now turn from the allied sovereigns and their schemes of European aggrandizement, to the situation of Napoleon on the Island of Elba, and trace his course from his landing upon the shores of France, until he was again reseated upon the imperial throne. Elba is a small island in the Mediterranean Sea, within sight of the coast of Tuscany, and within a few days sail of France. The act of his leaving this island has been much animadverted upon by his enemies, and much pains taken to place him in the wrong. By the terms of the abdication, this island was given to him as a sovereignty, and a certain revenue guaranteed to be paid to him, to maintain his imperial honors in his kingdom. These terms the allies failed to comply with, and the contract having been violated on one side, he was no longer bound to fulfill it, on his part. They failed to pay to him his annual revenue, and instead of recognizing him as a sovereign, they placed spies at his court, and had guard-ships stationed around his island. Sir Neil Campbell was the English spy commissioner, and each of the other allied sovereigns had a similar functionary there, whose duty it was to make reports to their governments of every movement of the Emperor. Thus he was watched like a felon from day to day, and smarting under this ungenerous treatment, he determined to leave his place of confinement, and make a bold stroke to regain his lost throne and empire.

Thus situated, Napoleon kept up a brisk correspondence with his friends in France and Italy, and by them was advised of every movement of the allies at the Congress of Vienna. A vast conspiracy was formed, with its centre in Paris, whose ramifications extended into every province and department in France. The officers and soldiers of the army were, more than any others, the grand movers in it. Although they had taken an oath to support the new government, they had, by no means, renounced their allegiance to Napoleon. They cherished his memory with a holy reverence. All the hardships they had undergone were forgotten, and they thought of him only as their victorious Emperor—the idol of their hearts. He opened a direct correspondence with Murat, who again threw himself into his interest, and promised to furnish him with numerous troops the moment he should put his foot upon the shores of France. Every thing was now prepared for leaving the island. His friends throughout France were warned of his intended movements, and were both ready and willing to aid him. As extensive as these plans of revolution were, they had been thus far matured, without the allies having the least suspicion that such an event was about to take place, and all this in spite of the close *surveillance* over the Emperor and all his movements.

On the 26th of February, 1815, he gave a grand ball at the town of Porto Ferrajo, which was graced with the presence of his mother, and his sister,—the Princess Pauline. While they were doing the honors of the house, he was making private arrangements to leave the island. Upon that occasion, the Emperor appeared in his most fascinating mood, and going around the room, talked with his guests in the most familiar manner. In the meantime, he had despatched orders to his troops, to hold themselves in readiness at the quay. During the afternoon he secretly left the ball-room and went to the quay, where he found his troops drawn up, about eleven hundred strong, under the command of

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Bertrand, Drouat and Cambronne. They immediately began embarking, and by seven o'clock all were on board. To the wondering inhabitants who witnessed the embarkation, he said, "that he was going to the coast of Barbary to chastise the pirates, who, from time immemorial, had infested the coasts of Elba." Sealed instructions were given to the captain of L'Inconstant, on board of which was Napoleon, which were not to be opened until they were several leagues at sea. When fairly out at sea, he opened them, and for the first time learned that his destination was the Gulf of Juan, on the coast of Province. The prows of the ships were immediately turned in that direction. When the soldiers knew they were on their way to the coast of France, they burst out into wild shouts of joy, and made the welkin ring again, with cries of "long live the Emperor." After the first manifestation of feeling was over, a sadness seemed to take possession of both officers and men, and a deep silence prevailed throughout the ships. Their minds were filled with sad presentiments of the future, and a recollection of other times came full and fresh to their memory. The vessels pursued their way without interruption, and on the first of March cast anchor in the Gulf of Juan. The troops immediately disembarked, and kindling some watch-fires on the sand, bivouacked near the shore.

A little incident occurred on the passage, which shows what admirable presence of mind Napoleon was possessed of at all times. On the evening of the 27th, when off Leghorn, a French brig came within speaking distance and hailed the vessel the Emperor was on board of. To prevent his soldiers from being discovered, he made them lie flat upon the deck with their caps off. The captain of the French vessel inquired of Napoleon himself, about the Emperor's health, who answered, that he was well. The brig suspecting nothing, passed on.

The officers, as well as the men, were impressed with the importance and magnitude of the expedition they were engaged in. With a force of only twelve hundred men, they had landed upon the coast of France, and arrayed themselves in arms against all Europe. Napoleon infused into this small band of faithful followers his own sanguine hopes, and raised somewhat their drooping spirits. As there was no time to be lost, he immediately commenced his march. He took the road by Gap, to Grenoble, through the mountains, everywhere distributing his proclamations to the inhabitants. On the 7th of March they approached the fortress of Grenoble, where General Marchaud was in command, who hearing of his advance, sent out troops to oppose him. General Cambronne, who commanded the advance-guard, first encountered this force, and seeing no signs of disaffection among the troops, sent word to Napoleon, who was in the rear. The latter remarked to Bertrand, who was at his side, "we are betrayed," and immediately rode forward, dressed in his well-known surtout and cocked-hat. Arriving before the opposing force, he rode in front of them, and said: "Comrades do you know me?" "Yes, sire," they answered. "Do you recognize me, my children? I am your Emperor; fire on me, if you wish." This appeal of their beloved Emperor was overpowering, and they immediately threw down their arms and rushed to embrace him. As soon as their manifestations of joy had subsided, they mounted the tri-colored cockade, and arrayed themselves under his banners. Colonel Labedoyeré, who commanded a regiment in the same garrison, in disobedience to the orders of his superior officer, march-

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ed with his men to meet Napoleon. As soon as he was outside of the garrison, he drew an eagle from his pocket, and embraced it before his soldiers. They immediately broke in the head of a drum which was filled with tri-colored cockades, and soon one was mounted on each cap. When Napoleon appeared, they made the air resound with their cry of "Vive L'Emperor," and joined his forces. His column, now near three thousand strong, marched upon Grenoble, and breaking down the gates, entered the town in triumph. He rested there that night. The citizens, in crowds, flocked to see him, and bid him welcome again to the shores of France. He was busily employed during his stay there, making civil appointments, and other arrangements to secure himself in favor. The next morning he continued his march towards Paris, meeting with no opposition. In every part of the country his old soldiers joined his standard, and the middle and lower classes welcomed his return with many demonstrations of joy.

Let us now turn from Napoleon and his triumphant march through France, and direct the attention to Paris and the king. Louis was entirely ignorant of the dangers which had been gathering around him, for a long time; he had not even a suspicion, founded upon anything tangible, that such a vast conspiracy was on foot, to wrest from him his crown and throne. A close watch was kept upon all the movements of the Imperialists, but to no purpose; and neither he, nor his ministers, dreamed of what was about to take place. Meetings were held nightly in different parts of Paris, and even in his very household their plans were being matured. Being in fancied security, the astounding intelligence he received of the movements of Napoleon made a deeper impression. All Paris was in commotion, and the king and his government in the greatest alarm. He endeavored, in vain, to rally the royalists to resistance, but all seemed paralyzed, and incapable of making headway against the tide that was rolling up towards the capital. He convoked the Chamber of Deputies—despatched messengers to different parts of France to arouse the people to oppose the march of Napoleon—sent large bodies of troops against him, who in every instance joined his standard, and recommended other measures which the emergency seemed to require. All these efforts were useless—the finger of destiny had marked the Bourbon throne for overthrow, and no power that Louis could control was able to save it. Marshal Ney, at the head of a large force, was sent by the king, from Paris, to stop the advance of the Emperor, and when he set out promised his royal master to bring him back in an "iron cage." But the iron cage and his promises to the king were all forgotten when he arrived in sight of Napoleon, whom he and his troops immediately joined, without any attempt to resist his march. Napoleon entered Lyons on the 12th, amid the acclamations of the populace, and the keys of the city were surrendered to him with much ceremony by the municipal authorities, who gave in their allegiance. When the news reached the king that Ney and his force had deserted to Napoleon, all hope seemed to have fled—as great confidence had been placed in the fidelity of the old Marshal. But the king, seeing such general disaffection in the army, and failing in support even from his own partisans, and losing all hope of retaining the crown, determined to leave Paris. He and the royal family set out on the evening of the 19th, attended only by a few friends, and a small guard, and went in the direction of Flanders. The same evening Napoleon arrived

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at Fontainbleau, and the next afternoon set out for Paris, which he reached in the evening, and took possession of the palace of the Tuilleries. Thousands had assembled there to welcome him, and he was received with the most unbounded demonstrations of delight. The extensive courtyard around the palace was filled with his faithful troops, who bore him aloft in their arms, to the grand saloon, where he was welcomed by the kisses and smiles of the imperial ladies who had assembled to greet his coming. Never before did a monarch receive such a welcome from his subjects.

Thus far his triumph had been bloodless—everywhere opposition had fled from before him, and both soldiers and peasants hailed his advent with joy. History furnishes no parallel to his march through France, and victorious entry into Paris. He had landed upon the coast of a distant province, marched from one end of the kingdom to the other—subdued every thing which had opposed his course, and finally wrested a crown and throne from a powerful monarch, without shedding one drop of blood. The like had never been known before. Although again seated upon the throne of France, he well knew his situation was a precarious one, and that all his energy would be required to prepare for the important crisis that was approaching. His first duty was, to reorganize the government, and in doing so, he had double the difficulties to contend against that beset Louis XVIII. And in addition to these civil duties which pressed upon him, he had also to prepare to meet a million of armed men who were arrayed against him. Nothing that vigor and activity could accomplish was wanting on the part of Napoleon, and the amount of labor which he performed in so short a time seems almost incredible. The arsenals were entirely empty of military stores and arms—among other items, twelve hundred pieces of cannon had been ceded to the allies by the treaty of Paris. The army had been almost entirely disbanded during the reign of Louis, and not more than a hundred thousand men were now under arms, scattered throughout France, in the different garrison towns. The first step Napoleon took towards reorganizing the army, was to return the eagles to the different regiments, which was done with great pomp and ceremony. All the old veterans who had retired from service, were called in by proclamation—additions were made to all the regiments, and thirty new battalions of artillery were organized from the sailors of the fleets. Both the old and young guard were strengthened, by adding a new battalion to each regiment, and filling up the old ones. By these means he calculated to have, at least, four hundred thousand men under arms, by the first of June; and by the first of September, he expected to have six hundred thousand foot, and sixty thousand admirable horse in the field. He found it a herculean task to provide arms and clothing for these troops. Manufactories of arms were established in different parts of the empire—the old arms everywhere called in, and the workmen in all the armories doubled. Horses were purchased at fairs at different parts of the country, and each department was ordered to furnish a certain amount of clothing, He found as much difficulty in reorganizing the civil government as the army, and no other man could have, so soon, brought order out of chaos. Many of the imperialists, who were most anxious for his return, now that he was on the throne, declined taking any responsible trust under him;—with Europe in arms against him, they felt a disquietude and uncertainty as to his success. The public

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treasury was empty, and with an impoverished country, it was with great difficulty Napoleon could raise funds for the campaign. In the meantime, he endeavored to open negotiations with the allies, but failed in the attempt; they would not entertain any propositions coming from him. Murat was so much elated at the return of Napoleon, that he immediately raised the standard of revolt, and with an army of fifty thousand men attempted to wrest Naples from the hands of the allies, and secure himself upon the throne. He was defeated in the first engagement with the Austrians, and fled to France. The Royalists attempted to raise a rebellion in La Vendeé, a district in the southern part of France, where the Bourbon feeling ran high, and by this means distract the plans of Napoleon, and draw his attention from the allies. He was aware of their object, and at once sent a strong force into the district, and put down the rebellion.

While Napoleon was making these preparations, the allies were assembling their forces, and advancing towards the frontiers of France. England had now thrown all her influence into the coalition, and had sent a large body of troops to the continent under the command of Wellington. The time was now approaching when the fate of France and Europe was again to be decided by force of arms, and the respective combatants were exerting all their strength. The efforts of Napoleon to meet the crisis which he saw was drawing nigh, were amost superhuman, and his abilities as a great commander were never more clearly exhibited. He had made up his plan of the campaign with the greatest care and attention, and was almost confident of success. He made Paris the base of his operations, which had been strongly fortified by General Haxo and his engineers, and mounted with seven hundred pieces of cannon. Lyons was also strongly fortified. He had assembled armies at different points on the frontiers to watch the movements of the enemy, who had made their arrangements to advance upon Paris from several points.

The chief reliance, however, was placed upon the main army, commanded by Napoleon in person, one hundred and twenty thousand strong, with three hundred and fifty pieces of cannon. With this force he determined immediately to commence offensive operations in Flanders, on the frontiers of which they were already collected. The object of Wellington was, to invade France direct from Flanders, and the better to conceal his intentions, and divert the attention of Napoleon from the real point of attack, he suggested to the Austrian and Russian commanders, to make a demonstration further south. The *ruse* however failed, as Napoleon was not to be diverted from the objects he had in view. The force of Wellington and Blucher, and with which the Emperor was likely first to come in collision, numbered one hundred and ninety thousand men, all veterans, and inured to war. As the British and Prussians had not yet united, Napoleon determined to interpose the whole of his force between them, and by striking first upon the right and then upon the left, beat them in detail. His plans were skilfully laid, and well nigh proved successful.

Napoleon left Paris on the 12th of June to join the army, and arrived at Avernes the next day, where he found it encamped. The whole force by the returns on the morning of the 14th, was one hundred and twenty-two thousand four hundred men under arms. The camps were placed behind some hills, about a league from the frontiers, which hid their position from the enemy. The Emperor addressed the troops, calling to their

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minds their former deeds of glory—their enthusiasm was raised to the highest pitch.

Wellington and Blucher in the meantime were inactive. Their troops were scattered over several leagues of country, and they were waiting for secret intelligence from Paris, of Napoleon's movements. He had taken every precaution to prevent the allies from knowing his situation. Wellington had, however, learned, by his usual system of bribery and corruption with the worst scoundrels of France, of the collection of large bodies of troops on the frontiers, but waited for confirmation before he should move—his inactivity was almost fatal to him.

On the morning of the 15th, the active operations of the campaign began. At daylight on that morning, the French army crossed the frontiers, and marched direct upon Charleroi. The Prussians, who had been in possession of that place, retired upon the advance of the French, in the direction of Fleurus. It was evident that Napoleon had taken Blucher by surprise, and he had the most sanguine hopes of being able to separate the Prussian and British armies. In order to accomplish this more effectually, he despatched Ney to Quatre Bras with the left wing, forty-six thousand strong—this was an important position, at the intersection of the roads leading towards Brussels. A severe action was fought there the next day. Napoleon, with the main army, seventy-two thousand strong, marched towards Fleurus, from which place the Prussians fell back to Ligny, where he gave them battle the next day, and gained a splendid victory,—the loss of the Prussians was about twenty-five thousand. The victory at Ligny exposed the left flank of the allies, and Wellington seeing that he could not maintain his ground with his left flank uncovered, fell back to Waterloo, and took up a strong position in front of that village. He was closely followed by Napoleon.

The beginning of the end was now near at hand, and the contending armies knew the fate of the campaign was to be decided on the spot where they were then assembling. The field of Waterloo was admirably adapted for a great battle, and had previously been examined by Wellington and the English engineers. It is situated about nine miles from Brussels, and one mile south of the village of the same name. It extends from right to left about two miles. Let the reader imagine two ridges of hills running parallel to each other, and from a half to three-quarters of a mile apart. The descent is gradual into the valley, through which winds a small stream. The position is cut nearly at right angles by a high road running from Brussels to Charleroi; and an unpaved country road runs along the northern crest of hills. Between this field and Brussels, to the north, was an extensive forest, called the "forest of Soignies." The two armies, as they were drawn up in battle array, occupied the opposite ridges of hills, the English the north, and the French the south ridge. On the right of the British lines was a strong built country-house, surrounded by a thick stone-wall, in a grove of trees; the left was protected by an almost inaccessible hedge and deep ditch: these with a strong farm-house in the centre, added much to the strength of the English position. The French right rested in the village of Blanchenois, and in the centre was the village of La Belle Alliance, where Napoleon took up his head-quarters. Both armies took up their position on the evening of the 17th, and during the night rested on their arms.

It had rained incessantly during the 17th, and the great number of horses and carriages passing over the ground reduced it to a state of mud. The

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soldiers slept upon the ground in their wet blankets, and passed a cheerless night; but, as uncomfortable as their situation was, there was no despondency in either army. All were awakened to the importance of their position—to the magnitude of the stake that was at issue. A quarrel of nearly twenty-five years standing, was now to be settled by the two greatest commanders of the times. There never were two armies which appeared to greater advantage than those which were drawn up at Waterloo. Napoleon had again collected around his standard his old veterans, which the treaty of Paris had set at liberty. They had been victors with him in an hundred battles, and now their feelings were raised to the highest point of enthusiasm. Wellington had also just cause to be proud of his troops—those which had fought under him in Spain were there, and they never appeared in finer array.

The memorable 18th of June opened with a drizzling rain, but the sun soon cleared the clouds away, and a bright day beamed down on the work of death. The two armies, as they took up their positions in the order of battle, presented a beautiful spectacle, and struck all the beholders with admiration. The rays of the sun were reflected from the burnished armor and bristling bayonets of an hundred and sixty thousand men; and the music of an hundred bands fairly made the earth resound with sweet sounds as the heavy columns wound over the opposite hills. The battle commenced about 11 o'clock, and lasted until dark; both armies fought with bravery bordering on desperation. The world knows the result. Treachery and superior numbers accomplished what English valor and discipline had essayed to do, in vain—the defeat of the French. From a retreat, it soon became a total rout—and so hotly were the French pursued by the victorious Prussians, that they were obliged to throw away their arms to save themselves. Napoleon's loss was from thirty to forty thousand men—that of the allies, including the former actions, was much greater. When all was lost, the Emperor set off for Paris, and was the first who carried the news of the defeat. He immediately appeared before the Chamber of Deputies, when a stormy time took place. After much persuasion, he abdicated, and retired to Malmaison, the scene of his early happiness with Josephine.

Napoleon determined, at first, to come to America, but finding this impossible, concluded to throw himself upon the supposed generosity of the English. For this purpose, he left Malmaison on the morning of the 29th of June, and arrived at Rochefort on the 3d of July.* He addressed the following letter to the Prince Regent of England, and sent it to Captain Maitland, of the Bellerophon, then lying in the harbor:

"Exposed to the factions which divide my country, and to the hostility of the great powers of Europe, I have terminated my political career, and I come, like Themistocles, to seat myself by the hearth of the British people. I put myself under the protection of its laws, and claim it from your Royal Highness, as the most powerful, the most constant, and the most generous of my enemies."

On the morning of the 14th he went on board, and was received with the honors due to his high rank; and Captain Maitland immediately set sail for the British isles with his august prisoner. From England he was taken to the island of St. Helena, which had been fixed upon by the allies as his place of exile. He died there, May 5th, 1821.

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* For a full account of allied treachery and English infamy in this transaction, see article, "Doom of Napoleon," in the "Review" for July, 1850.

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REEDYRILL.

(Continued.)

IX.—FAIRY LAND.

The steamboat in which I had thus unexpectedly embarked, was the Rob Roy, bound for St. Louis, and my white chief was Colonel Sebastian Overton, U. S. A., who had been on a topographical exploration to the Falls of St. Anthony and thereabouts.

It is needless for me to dwell on the new world of wonders in which I now found myself; how amazed and delighted I was with the infinity of unaccountable and beautiful things I saw around me; how everything seemed the work of enchantment to me, and all that; it can be more readily imagined by the reader than described.

Col. Overton made a pet of me, and so infatuated was I with the new order of existence which had broke upon me, that I even consented to give up my home in the wilderness, and go and live with him in the now no longer hated land of the white man.

I soon became accustomed to *the steamboat*, as I was taught to call it, and delighted to ramble all over it with my friend, the Colonel.

"*Ernie, mon cher enfant*," said he to me one day, as we stood on the forecastle, gazing at the scenery: "I don't believe you are an Indian, anyhow. Your eyes are blue and your skin fair, now that the paint has worn off, and your hair curly and light brown at the roots, where it has not been dyed."

"My father was a half-breed, and my mother a pale face," said I.

"Well, I thought there could be but *diablement* little of the pure Indian in you, for you are no more like them than I am. You say your mother was a white; what was her name, do you know?"

"I know nothing of her," I replied, only what my father told me, and that was only that she was a white, and that she died when I was born. Whether she was Français or Anglais, I do not know."

"English, I'll be bound, there is none of Jean Crapeau about you?"

"I dont know."

"Well, I never was as much astonished in my life as when I saw you perched up on that tree, like a *bizarre de marmose* as you were, and the way you pitched into me with your *couteau* for laughing at your monkey-shines. But your mother—you say your father never told you anything about your mother? That was very strange."

"I never asked him but once, and then he promised to tell me, but it was just before I got lost, and, of course, that put an end to all information on the subject."

"Apropos," said the Colonel, lighting a cigar, "now is a good time—just sit down here by my side, and, as well as you can, give me a narrative of your adventures." I had merely mentioned the fact before; I now gave him, as well as I could, about my chasing the heron, my roosting in the old sycamore, my discovery by the Aricarees and fortunate escape, some general outlines. They amused him exceedingly, and he frequently stopped me to declare that it was the most astonishing thing he ever

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heard of in his life, and it kept him in an immoderate fit of laughter all the time. I observed that the Colonel expressed freely his curiosity, and especially his *astonishment*, in a manner that an Indian would have thought disgraceful to his character.

As the boat turned a bend, I was interrupted in my story, which so amused my patron, by beholding in the distance, like the enchantment of a magician, a scene so strange, so splendid, so magnificent and unaccountable, that I stood speechless.

"It is the city of St. Louis," said the Colonel, tossing away his cigar with a nonchalance that came nearer my Indian ideas of stoicism than I could possibly do myself, and I could not but turn and ask:

"Did you ever see anything, Monsieur le Colonel, that astonished you so much as *that?*"

"Many a time," replied he, laughing, "I dont see anything particularly astonishing in that; come, the supper-bell is ringing, let us go down to tea."

When tea was over I found myself amid the din and uproar of a great city. We were at the wharf: I was bewildered by the swarm of hackmen, porters, draymen, whom I fancied, not knowing their real object, had some hostile intent, probably to take the boat by storm; and one, who seized hold of Colonel Overton's trunk, got a rap from me with a footstool that he won't forget.

It is needless to say how bewildered, astonished, and delighted I was with the grand city of enchantment, and everything in it. This can readily be imagined. When we arrived at the hotel, which I conceived to be some magnificent palace, we were shown into a vast gorgeously adorned room —the parlor,—and presently in came a beautiful young woman, and with a cry of delight she rushed forward and threw herself into Colonel Overton's arms, and covered him with kisses and embraces. The Colonel was extremely astonished, even more so than I, for a moment; but in an instant he seemed to recover from the first paroxysm, which nearly threw him into fits; and then he returned her embraces with a right good will. After an eager and somewhat lengthy chattering between them, as they sat on a sofa, my patron turned to me, who was seated on a small velvet-covered stool, and said,

"*Ernie, mon prince*, this is my *squaw*—they call her in French—*Madame.*—Madame Overton, let me acquaint you with Monseigneur Ernie, *Prince des Pawnees.*"

Madame looked at me with a merry, inquisitive smile, and then rising, made a profound courtesy, with,

"*Je donne les baises-mains à Monseigneur.*"

I replied by ducking my little pate to the soft, rich carpet at my feet, in all gravity; when, exclaiming, "*Quel, bijou!*" she caught me up in her arms and smothered me with kisses.

We soon became great friends, Madame Lenora—as I was taught to call her—and I. She spoke French with all fluency, and, moreover, had a knack of talking with her eyes and fingers, and the expressive varyings of her beautiful countenance, which I could have readily understood, had she possessed no other means of communication. I became devotedly attached to her and the good Colonel, both of whom overwhelmed me with kindness, and won my whole heart with bonbons and sugar-plums, which, being entirely novel to me, I must confess I had the weakness to relish

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with insatiable gusto. Lenora, who had brown hair and gentle brown eyes, gave me as many bonbons as the Colonel, and more kisses, and her voice was as sweet and soft as the wood dove in spring-time.

We remained in St. Louis about a month from the day on which I was captured from the tree-top, by Colonel Overton's party. In that time I had attained some knowledge of English, for the Colonel and Madame Lenora refused any longer to speak to me in French; and when, especially in childhood, an unknown language becomes the only medium of intercourse, it is acquired with much facility and rapidity.

Strange and unaccustomed as was to me the new mode of existence into which I was thrown, I more readily became familiarized and accustomed to it than might have been supposed: being at that period of life when new facts are constantly offering themselves to the young stranger unacquainted with the routine of ratiocination and the generalization of cause and effect. As soon as the novelty wore off, I insensibly glided into and acknowledged all that I saw around me.

Madame Overton asked me, one day, to go shopping with her. We went down town in Mr. Howard's carriage, and soon were set down, by the footman, at a splendid jeweller's shop. While Madame was in the shop making purchases, I went out on the side-walk to amuse myself, looking at the strange sights around me, which I never grew tired of doing. As I was gazing at the signs over the door, the fine carriages rolling by, the shop windows full of gay prints, jewelry, and rich goods of every possible variety, the rumbling drays, the busy crowds of passers-by—suddenly my ear was arrested by a burst of loud music at a distance, and on looking down the street, I beheld a sight of splendor and gorgeous magnificence, which I could scarcely realize to be anything other than a vision. It was a grand golden chariot drawn by twenty splendid gray horses, two abreast, and each with a waving crest of white and red feathers on his head, filled with richly dressed men blowing each one a differently shaped brass instrument, together with drums, gongs, and other instruments, of none of which did I know the name. As this beautiful line of horses came prancing down the street, I thought that they presented the most glorious and magnificent spectacle the world could afford. Behind the chariot came a lovely little open carriage pulled by four elegant little ponies: in this vehicle was seated a youth of about my own size in a superb dress, and by his side sat a beautiful girl, ten or twelve years old, all covered with silver spangles. I conceived that they must be the son and daughter of the great chief of the white men, making a procession in state. Little imagined I that all this gorgeous pageantry was a circus band.

Crowds of little boys and negro slaves were following, shouting and whooping in the rear, and involuntarily I joined the throng, forgetting Madame Lenora and everything else, in my excitement.

I followed along through several streets, listening to the music and admiring the gayly dressed little boy and girl in the phaeton, until at length, growing tired of the "show," I sat down on the marble steps of an elegant and lofty building to rest myself, and breathe a moment before returning to the jeweller's shop. And then it occurred to me at once that I had already been gone at least half an hour, and that Madame would be waiting for me, perhaps had already returned to the hotel without me. I quickly jumped up and started down the street, walking as fast as I

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could, but presently, as I began to look around me for the jeweller's shop, of which it had never occurred to me for a moment that I might lose sight, I found it was no where to be seen. I was lost—for the second time lost. To be lost in the wilderness seemed to me nothing, but in the city—it was terrible. I wandered about, around and around, until my head was perfectly bewildered, and the hopelessness of finding my way in the labyrinthine mazes of the city, came over me with a sense of dreadful helplessness and despair.

I didn't know the name of the hotel—didn't even know that it had a name. I couldn't speak English well enough to make known my wants, and one or two persons whom I contrived to ask how I could find Colonel Overton, only laughed at me, and I grew afraid and unwilling to ask any more. It was a bootless task for the child of the forest to thread the ways of the city. Oh! how my heart sunk within me. When I was lost in the wilderness I had experienced the timidity and fears natural to childhood, but now a sense of drear and utter helplessness came over me, and the tears mounted into my eyes, but I would not let them flow—there was too much savage manliness about me for that. Stoicism and apathy to trouble, grief and danger, had been part of my training; so I walked moodily along, cogitating what to do to relieve myself from the quandary I was in. No idea, however, presented itself to my mind, but that of perambulating the streets until I found the jeweller's shop, or the hotel. I at length found myself on the wharf, with the broad murky river, the crowd of steamboats, and the din and bustle roaring and whizzing in my ears.

As I sauntered along, utterly at random, I imagined that I heard somebody, and the voice seemed familiar to me, calling me by name. I supposed it was only fancy, and walked on; but no—there it is again, close at my ear. I looked quickly around, and—surely it must be a dream—there stood before me—No, 'tis no dream—with a wild cry of delight I sprang into his arms. It was Kahtoli!

Our joy and astonishment at this singular and unexpected encounter, cannot be described.

I narrated, as rapidly as possible, the adventures which had occurred to me. I mentioned Colonel Overton, and how he had found me in the tree-top, and how kind he and madam had been to me.

At the name of Overton, Kahtoli started with a visible agitation.

"Tell me," cried he eagerly, "is it a stout, square-built man, with light blue eyes, and short, curly flaxen hair—a scar on his chin?"

"Ah! you know him, then? Yes, 'tis he."

"Yes, I know him," said he musingly; "come, let's sit on this bale of cotton a few minutes. This Colonel Overton you have so fallen in love with—did he know anything of me?—did he show no surprise at the name of Kahtoli?"

"None."

"Ha!—'Tis well! But true, Kahtoli is not the name the white faces know me by. Had you mentioned another—had you mentioned Leon Paul, he would doubtless have remembered something—ay, something concerning—but, perhaps, after all it may not be the same." And he stopped abruptly.

"Leon Paul?" I asked. "Who is Leon Paul?"

"No matter, no matter. It is best, perhaps, that you should never know him. And now, my little Ernie, you have, doubtless, been living in

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the luxury of the white man until you are spoiled for the rough life of the wilderness. Is it not so? Tell me now which you would prefer—to go back with me to the forest, or to return to live with this white chief and the brown-eyed squaw who has been so kind to you?"

"My father! you know that I would love better the wigwam on the prairie with you, than the white man's palace in the grand city without you."

"It is well said," responded my father, with a gleam of satisfaction on his swarthy features. I am rejoiced to find that the serpent-tongued pale face has not beguiled you."

"My father, you have the blood of the pale face in you; my veins are full of it. Why, then, do you hate them so? Was not my mother a white? I can but love them."

"Yes, your veins are *full* of their blood," said he bitterly; "would to heaven it were otherwise. Your mother *was* a pale face—the only one of the accursed race I ever loved. Yes, and I have the blood of a white, but the heart, the sympathies of the red man. Listen: I trusted the white man; he deceived me. I confided in him; he abused my confi fidence—he thwarted my most cherished hopes—he blasted forever my happiness. Have I not reason to hate the vile deceiver? I lived with the white men then. I was born and raised with that false, treacherous race. I fled from them, and came to dwell among the true-hearted children of the forest. I gave up lands, and slaves, and name, to come and lead the tribe of my Indian ancestry."

"But, father, you have not told me how it is that I find you in the great city, so far away from our home in the woods. By what means did you learn that I was here?"

"I never knew it till this moment. I saw you as I walked along; there was something about you that struck me, though I did not recognize you—never dreamed of finding you here. As I walked along behind you, I got a glimpse of the blue beads on your neck; it flashed upon me at once that it might be you, but your new garb altered your appearance so that I could not tell. I thought I would call your name, and see what effect it would have on you. I saw that you stopped and hesitated; I called again, and found, indeed, that it was you."

He, as well as myself, was dressed in English costume, and it was that which had created my difficulty in recognizing him. He wore a black frock coat, black cloth pantaloons and a hat, which altered his appearance very much.

Kahtoli gave me an account of what had transpired at the camp during my absence. That they had not been successful in their search for Tahee's child, but that they had got on the trail of a party of Aricarees who had, doubtless, carried her off; they pursued the Aricarees for two days, but at last lost their trail, never having come in sight of them, and had to return finally, and give up the chase.

When they returned, Kahtoli was informed that I also was missing, and they set out on another fruitless search. Ophie had seen me go towards the lake, and they set out in that direction. In hunting around it, they found my track, and traced it to the little dry branch; there they lost sight of it, but found several dried spots of blood on the pebbles. Not doubting but that it was mine, they were led to the conclusion that I had been seized by a bear or panther, and gave me up for dead. Not long

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afterwards, they had a great battle with the Aricarees, in which my father signally vanquished them, taking, besides a hundred scalps, many valuable furs and skins, and my father was now in St. Louis for the purpose of disposing of his peltry.

"But there is the bell ringing—the boat is about starting. I was just on my way to it when I so fortunately encountered you. Let us go."

I was full of joy at having found my father,—full of joy that I was going back to the forest to live. Not that I had no regrets at leaving Col. Overton and his kind and beautiful squaw, or that I was tired of living among the wonders and luxuries of the white man, but I wanted to revisit my old haunts, and fall into my old habits. I wanted to see Ophie again.

"My father," said I, as we were standing on the deck of the steamboat, as she was panting and screaming with impatience to be off—"father, the white man is so superior to the red. Look at that crowd of wonderful buildings—the terrible steam demons which hie at their bidding over the rushing waters, the multitude of their curious workings and contrivances; when would the Indian learn to make these things?" "Never! The white man certainly knows more than the Indian—he is wiser, but he is not better; he is not so happy nor so true. The white man is deceitful, full of lies, full of corruption. The Indian, when his passionate and impulsive temperament has not been defiled by contact with the vile pale face, is high-souled, warm-hearted and noble—and therefore is the happier. Look at the haughty white man, with his lordly mansion, his slaves, his carriage, his downy bed: he is not so happy as the light-footed Pawnee, sleeping 'neath some wide-spreading tree, with the leaves of the forest for his bed, and no covering but the pure air of heaven—his tomahawk and bow his only possessions. The white man is the ant that builds much curious architecture, and is wiser than all animals, but crawls on the earth and labors like a slave, incessantly heaping together grubs. The white man's grub is gold. The Indian is the fierce, wild goshawk, flying with free wing through the boundless air—his only home. He labors not, but takes his prey from the forest and field as he finds need."

As he was speaking, the boat rounded out into the current, the city and crowded wharf began to recede from our view, when, at the first stroke of the paddle-wheels, I thought I felt the floor of the deck sway and heave under my feet, as though it was going to turn over: at the instant my father clutched my arm, and suddenly there came a deafening report, a hot gush of steam in my face, and I felt myself shot aloft into the air, and dashed against something with such violence, that I was deprived of my senses at once.

X.—THE SUNNY SOUTH.

When I recovered my sensibilities, I was apparently awakened by a noise, which seemed to be the puffing of a steamboat. I hardly knew whether I was dead or dreaming, or what—on opening my eyes I found myself lying in a little narrow white cell, on a little narrow couch, and looking up, I discovered that Lenora was standing by my side, looking tenderly at me with her gentle brown eyes, and bathing my face, which was painful and swollen, with some cooling liquid. As I opened my eyes, a smile of joy and thank-

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fulness beamed in her sweet face. "Where am I?" I asked faintly in my own language. Lenora made signs to me that I was sick, and must not talk, but go to sleep.

"Where is Kahtoli—my father?"

Lenora frowned and shook her head. Presently she opened the door of the state-room—I now knew it to be such—and beckoned to some one. A fine-looking intelligent man, with florid complexion, broad, bald forehead, and a mild beneficent countenance, came in, and felt my wrist with his fingers, made me poke out my tongue, smiled, nodded his head approvingly, gave Madame Lenora a phial with some reddish brown liquid in it, at the same time saying something to her in English that I did not understand.

"It is the medicine man," said Madame Overton, in a low voice, as he went out. She then poured out a few drops of the liquid into a spoon, and gave it to me to take. Gradually a recollection of the events narrated in the previous chapter came to my mind—my going on the boat with my father—the explosion—Kahtoli, where could he be—dead, I feared. I racked my brain to find if there was an impression there of any subsequent event—there was none. Soon an irresistible drowsiness came over me, and I fell asleep.

I must have slept for sometime—hours, at least; when I awoke it was noon-day. This time I found the rosy, goodhumored phiz of Colonel Overton leaning over me.

"Colonel, where is my father?"

"Listen to me, my little Indian—you are now sick, the "medicine man" says it will hurt you to talk much; you had better try and go to sleep again, and we will talk about these matters when you get better."

It was two or three days that I lay cooped up in my little narrow berth, with my face swelled, my limbs and body bruised and sore, so that I could hardly turn over. After I began to grow somewhat better, I awoke one morning—a beautiful sunny morning it was—and through my open door I could see the jingling glass pendants from the gilded chandeliers in the richly furnished dining hall of the magnificent steamer we were on, glistening and glancing with beautiful prismatic colors, shed upon them by the sun's rays, reflecting gaudy striped ribbons of light on every object they fell upon. One of them was flickering about Madame Lenora's beautiful hair, as she sat by my cot-side reading.

After my morning salutation, I told her that I felt much better than usual, and obtained her permission to get up.

After dressing and washing, I made an essay to stagger into the dining cabin, and as I passed along my eye by chance rested on a large mirror, and I started back in affright at the image I found reflected there. My face was swollen and covered with scabs, and black patches of court plaster, and my long golden hair had vanished entirely, leaving a bald caput covered with a burnt crispy furze.

I found the Colonel and Madame Lenora seated out on the guards—"Hallo, Ernie, my little hero," said the former, "you look like you had been going through a pretty rough operation."

"I am thankful it is no worse," said Lenora, smiling. "Do you think his beauty is spoiled, Dr. Montmery?"

"Oh, not at all," said the pleasant-faced 'medicine-man,' who was sitting by—the same who had attended on me during my illness. "He will come out of it unscathed—as good as new."

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"Come here, Ernie, and take a seat, and spin us a yarn—give us an account of your new adventures—darn it, man, you have more 'hair-breadth 'scapes' than any person of your age and opportunities in America."

I told them how I had got lost from Mrs. Overton, and how I had found my father, and that we had gone on board a steamboat to go back to the wilderness, but that I had been suddenly whirled into the air, and out of my senses, by some mysterious enchantment that I could not comprehend at all.

"And served you right for taking French leave of us that way, you young savage," said the Colonel.

"And so you were going away to leave us without letting us know what had become of you, or a single regret at parting from us?" asked Mrs. Overton, reproachfully.

"I *had* much sorrow to leave you, beautiful Madame," said I, "but what could I do otherwise—it was my father's commands. But tell me—explain to me the strange enchantment by which I was deprived of my father and almost of my life? My father, where is he? does he yet live?"

"The long and the short of the whole matter is, that you were blown up in the explosion of the Phœnix steamboat—you were thrown into a ferry-boat, and taken up for dead. By rare luck, a porter on the wharf who belongs to the Planter's Hotel, where we were staying, saw you and recognized you, and had you brought up to the hotel to us. You may imagine our joy at finding you, even half dead, after having given you up for lost."

"But, my father! Tell me if anything was heard of him?"

"Alas! I fear the worst, my poor boy. I learned that there were but two persons saved besides yourself—one of these was the pilot, the other a negro cook."

"He is dead, then," said I, turning away with a stoical attempt to conceal my emotion.

It was sometime before Colonel Overton and Doctor Montmery could make me understand what they meant by a steamboat blowing up. I at length, however, gained some little insight into it, when Dr. Montmery fastened the top of a teakettle down with a piece of wire, and showed me how the steam would shoot out a cork, which he stuck in the spout.

The air was so mild and genial, that it seemed more like spring than late in October, as it actually was. Everything looked fresh and green on the low luxuriant shores of the broad muddy river down which we were going. The air was warm and balmy, and I almost imagined that the winter had passed away during the time I was stunned and senseless from my "blow-up" catastrophe.

"Madame Lenora," said I, the next evening as we stood on the guards, looking at a boat which was passing us, "Where go we?"

"To the South," said she, pointing down the river with her finger.

"To Kentuckee?"

"Not Kentucky now: we are going to Louisiana—away south; to the land of cypress, and magnolias, and sugar-cane. When spring comes, and warm weather, we will go back to Kentucky."

"It seems to me it is almost spring now."

"No, it is always spring weather in Louisiana, except in summer, when it gets so hot that we can't stay, and then we will go to Kentucky, where the weather is milder."

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"*You* live in Kentuckee?"

"Yes, the Colonel and I, and Dr. Montmery also, all live there; but we go south sometimes to spend the winter."

And then she told me about a beautiful home she had in Kentucky, and a pretty little girl who was a relation of hers, who lived with her brother and sister, who also had a beautiful home.

A few days after, we landed at a large plantation, the principal features of which were the vast sugar houses, the white cottages of the slaves, which formed a little village, and the swarms of negroes themselves. I spent a delightful winter here in the mild oriental winter of the south, and found so much enjoyment in various ways on the plantation, that although Mrs. Overton had been constantly telling me about Kentucky, and the agreeable friends she had there; and though the Colonel swore that leaving out the spring races on the Metairie course, which he designed visiting, he would'nt wait a moment longer before returning to that land which seemed to be an El Dorado to them both—Col. Overton declaring that but for the deer and bear hunts, and the aforesaid races, he would spend his winters in Kentucky. Yet notwithstanding all this, when spring put forth, and preparations were making for our journey up the river, I felt very loth to bid adieu to the land of magnolias, as Mrs. O. had taught me to call it. We had now been about six months in Louisiana, and the spring was far advanced ere Col. O. returned from the Metairie races, when one sunny morning we boarded a big steamer that came along, and set out for the Dark and Bloody Ground.

END OF PART FIRST.

PART II.—BESSIE RAYMOND.

Hold it a fashion, and a toy in blood;
A violet in the youth of primy nature,
Forward, not permanent, sweet, not lasting,
The perfume and suppliance of a minute,
No more. HAMLET.

I.

THE gray moonlight was casting grim, wavy shadows across the road; the hoary leafless old tree stood out in bold relief in the mysterious half light reflected from their mossy trunks: like weird sprites invoking an incantation, they stretched out their bare scraggy arms into the dim moonlit sky, where their tiny twigs were twinkling indistinctly, blending into the air, and seeming to waver with a mysterious unnatural motion; the whole forest melting away into an indefinable uncertainty of outline in the distant gloom of night.

With no knowledge of locality, and ignorant where we were, or by what surrounded—only knowing that we were going to a place, but having no idea of that place—a vague abstract notion only of *somewhere*, there was a solemn and intangible mystery about these dim, grim old woods. I imagined, and it was not merely the fancied association of similitude, but a fancy almost amounting to actual belief, that these woods were those of the beautiful spirit-land. There was none of the stern incorrigible logic of naked reason to drive me from my refuge in the tem-

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ple of magic; and I saw these trees—these vista'd shades—these quaint forms and strange sombre colorings, not as actual carbon-assimilating vegetables—not as combinations of penumbras and reflected light, but as unconnected isolations of self-existent *phainomai*, looming out in a curious and infinite world, untrammelled by that all-embracing law of serial uniformity—that law which says must be *so*, and *can't* be otherwise.

How gloomy and grand those dark forestal shades! How solemn the stillness of the winter night! Stands out brightly yonder a grassy slope fading down into the darkness of the tall wood at its base; a quiet sheep-flock sleeping on its soft carpet, bright and silver-tinged amid the surrounding shadows. Leaning out of the coach-window to gaze on the beauty of this night-scene, I fancied that I could see airy spirits flitting to and fro in the hazy background; that I could see a ring of fairies dancing on some mossy bank, where the moon's rays, struggling through the overbending boughs, would form a halo-circle of light, or hieing with gossamer wings adown the sloping meadow; and every nook and arched avenue seemed to be tenanted by some shadowy semblance of life, hovering about through gray air. Noiseless all around, save the tramp of our horses' feet and the creaking of our carriage-wheels, which was so monotonous that it scarcely seemed to break upon the silence of the night.

The stilly night! Not a wind-sigh, not a hum, not a bug-chirp—all soundless as the spirit-land I dreamed I was in. Occasionally the baying of some distant watch-dog fell lightly on the ear, but whether it was an echo or a mere imaginary sound in the tympanum, you could not tell. Here was nothing but the moon-lumined sky, the outstanding tree-trunks, and the endless tangled tracery of boughs and twigs, the silver-glazed slope, —a peep across yonder of a skirt of low underwood, like some natural shrubbery or horticultural nursery; and at the meadow foot the glancing ribbon-like stream, with those same eternal moonbeams which pervaded everything, sheening its shadowy water, and the tall slender reeds casting their long dark pencils of shade on its limpid surface.

My two companions had for some time been wrapped in a profound silence—a low, hard breathing, seemed to indicate that the Colonel was asleep, while Lenora, if I could judge of the moonlit dreaminess of her deep brown eyes, was ruminating in fancies allied to my own.

Descending the slope, for the road ran down along-side the meadow fence, the carriage crossed the brook, and a few paces further stopped at a great gate, flanked with low massy stone turrets; this opened, we entered a long dark avenue of trees, and driving along a smooth pebbly road towards a glimmering light as of a torch or candle in the distance, we presently issued out from the shade of the park trees into an open glade, where the moon was shining brightly, showing at the other end, or side rather, for we entered it at the end, and made a turn, a white railing and wicket enclosing a profusion of shrubbery, with a gray, steep-roofed house of curious structure, with any quantity of gables and corners and chimney stacks, and various pyramidal roofed appendages and out-houses, all nestled amid the shrubbery. All was perfectly still as we entered the open glade, though by the light which I now saw emanated from one of the windows, we could see the forms of the inmates passing backward and forward.

"Ernie," said Madame Lenora, arousing herself from her half-drowsy reverie, "this is Reedyrill. Wake up, Colonel! here we are, at home."

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"Eh? what you say?" asked he, in a sleepy voice, looking out, and rubbing his eyes; "Reedyrill? why, to be sure, so 'tis!" and the carriage drew up at the small gate. By this time the noise of the wheels and the barking of dogs had advised them of our approach. As the Colonel descended from the carriage to assist Madame Lenora and myself to alight, there was a bustle within, and presently a light was brought to the door, showing, in the strong contrast of light and the darkness of the portico, a group of forms and faces. A little curly-headed girl came running and shouting gleefully down the pathway, from the yard-gate to the house, crying, in wild joy:

"It's uncle come! dear uncle, and Aunt Nora!"

"Ho! ho! dear Floralie! here's uncle come back again, sure enough, with many nice things for his little darling," said he, as she jumped into his arms, and covered him with kisses; "and here is Aunt Nora; and, ah! see here, Florie, here's a nice little play-fellow for you;" and he presented me. I was so muffled up in my cloak and comforter, that Mademoiselle looked as though she could not decide whether it was a monkey or a parrot; but seeing my long hair escape from my cap, as I removed it, she concluded me to be human, and placed a little soft hand in mine, timidly, for an instant, and quickly withdrawing it away, she darted to the house, repeating her exclamation of—"Uncle's come! uncle's come, and Aunt Nora!"

We followed after, and were received at the door by the whole posse with a perfect storm of greeting and salutation, and, after entering, for ten minutes the confusion and noise was so great, that my wee brainlings were turned completely upside down: kissing, laughing, crying, hugging and shaking hands, taking off cloaks and bonnets, bringing in trunks, bundles and bandboxes, and everybody bustling about, and running hither and thither, so that there was no comprehending things clearly, to my little senses, at all; so I skulked, unobserved, into a corner, to deposit my traveling paraphernalia, and reconnoitre the scene. As my ideas began to grow somewhat more clear and consecutive, I observed that we were in an elegant drawing-room, with very high ceiling and green papered walls, a rich centre-table, covered with drawings, *joujoux*, and richly-bound volumes; a silver-gilt chandelier, a grand piano, and sofas, chairs, and *fauteuils* covered with pea-green velvet, and a rich soft carpet, in which the same color predominated—all very grand and imposing to my unaccustomed eye.

A tall, dark gentleman, in a black dress and white cravat, with black hair and whiskers, was shaking hands with Col. Overton; there was a dapper little old lady, with small twinkling eyes, the color of which I could not tell, as they half-closed with a hundred wrinkles in their corners, when she laughed, which she was now doing with all heartiness, as she kissed Lenora. Before the fire stood a little white-headed urchin, about ten years of age, in a checked apron and trowsers, sucking away at an orange, and eyeing me wistfully, as though he wanted to make demonstrations towards an acquaintance, but somewhat afraid to make advances. Mademoiselle Floralie was ransacking a *cassette*, which "Uncle Lebe" had given her—uttering loud cries of delight, as she drew forth a doll, a coral necklace, a needle-book, a miniature teapot, and other toys, with which it was filled. In the corner stood a thick-lipped negress, with a child of five or six on one arm and a baby on the other, both of which were squalling at the top of their voices, while she was cramming a piece

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of candy down the throat of one, and violently shaking a rattle at the other, to pacify them—herself making more noise than both.

"And who have we here?" asked the gentleman with the black whiskers, espying me in the corner, when the hubbub of greeting had somewhat subsided.

"That, sir, is Prince Redcap, of the Pawnees. Permit me to introduce him to your acquaintance."

"A Pawnee, did you say? Louisa, for goodness' sake, carry those children into the nursery. A Pawnee? Oh! your little Indian protegé, that you wrote us about;" and he came up to me, and bent his searching, dark gray eyes upon me. "Why, he's a *white* boy! No Indian in him, blue eyes and curly-brown hair. He's as genuine Saxon as you or I."

"No, he's a quintaroon-Creole; his father was a half-breed, and his mother white—so, as you see, there's not much trace of the Indian about him—except in his temper—a little scamp."

"Bless me! what a pretty little *protege*—where did you pick him up? In the woods—well, I declare, I remember with what interest we read your accounts of his romantic history. Let me see," said the little pug-nosed lady, whose eyes shut when she laughed, putting on her gold specs, to take a good look at me—"does he speak English?"

"Somewhat—he speaks French, however, quite fluently."

"Why, he's quite a scholar."

"Ernie," said the Colonel, "this is Aunt Eliza, that you have heard me speak of so often. That gentleman is Mr. Kerne, and this young man with his finger in his mouth, is Master Thealan Kerne, known more familiarly as Chunk. I have already made you acquainted with Miss Floralie. Come forward now, and make a bow, and tell our friends 'how d'ye."

"How-de-do, Mr. Churn," said I, coming into the middle of the floor, and ducking my head to the tall gentleman, "How-de-do, Master Hunk, how d'ye, Aunt Elisha, and Miss Flo-flo"—"Floralie—that will do very well, only one bow would have sufficed instead of making a salaam to each." "'Pon my word, he speaks English *very* well," said Aunt Eliza, as soon as she could open her eyes from laughing at my blunders and ludicrous mode of salutation. "What's his name—Redskin?"

"His name is Ernie—signifying Redcap; he is a chieftain—son of a chieftain. A little savage nobleman—and, savage he was, by thunder, but I've tamed and civilized him considerably since he has been with me. Ernie, go and get acquainted with Toppy and Florie."

"What a funny belt," said Master Thealan, taking his finger from his mouth and pointing with it at my wampum, as I drew towards him. I said nothing in reply, and he, evidently afraid of my *outre* appearance, seemed indisposed to continue the conversation, and restoring his finger to its quandam position, in the corner of his mouth, relapsed into silence. "Ask him to talk Indian," said little Floralie, who had from the first taken a prodigious fancy to me, sidling up to Madame Overton.

I addressed a few words to her in my own language—the first time I had spoken it since the day I encountered my father in the streets of St. Louis, the day of our sad disaster. It brought back the recollection of my bereavement, and the memory of away-gone days in my forest-home, so vividly to my mind, that I could not refrain from bursting into tears.

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"Poor little fellow, it reminds him of his home in the wilderness," said Mrs. Overton, kindly.

"Dah, little Ernie, donte cry," said Floralie, patting me on the head, and talking to me as she would to a baby or a doll—supposing, doubtless, that I could understand that language better than I could pure English. "Florie did'nt mean to make it cry," added she, wiping the tears from my cheeks with the corner of her apron, while her own soft blue eyes were filling fast with tears as she gazed tenderly upon me.

I was older and bigger than she, and felt myself above her sympathy somewhat, and besides, I had been taught that it was disgraceful for a *man* to shed tears or manifest any of the tenderer emotions of our nature, and ashamed of my weakness, I turned rudely away from her, wiped my face with my sleeve, and took a seat on an ottoman with an assumed air of stoical indifference on my countenance. Floralie, hurt at my harshness, and deeming herself the cause of my trouble, now began crying outright, and I, on finding that I had wounded her feelings with my unintentional abruptness, now went up to her again, and tried to pacify her as I best could.

After supper, the Colonel was detailing the circumstances of my capture in the top of the tree, my breaking the skull of the negro, my affright at the incomprehensible steamboat, and many laughable minor incidents, all of which seemed to entertain and amuse the company vastly, particularly a mulatto footman, of about seventeen, who was standing in the corner I formerly occupied, and whose ivory eye-balls and teeth shone like meteors, as he shook with convulsions of suppressed laughter. Colonel Overton had ever labored under the erroneous opinion that he was a "funny man," and consequently always gave a ludicrous cast to any story he had to relate; all the time, however, Mr. Kerne listened with a thoughtful brow which only an occasional smile illumined like sunlight bursting through a field of fleeting clouds. As the Colonel continued his recital, he would now and anon look at me with an expression of deep interest, mingled with an air of doubt and perplexity. I noticed it, for I had felt an instinctive repulsion towards this man at first, on account of his stern gray eyes, and dark lofty mien, but the more kind and gentle expression which now they wore, altered his whole appearance, and naturally attracted me more towards him. I succeeded in getting Floralie into a good humor again—no difficult task, I found—she and I were prattling away in merry companionship, and she was brought to the highest pitch of delight, when I unclasped the string of blue beads around my neck and bound it as a fillet around her beautiful hair.

Mr. Kerne observed me, and springing forward with a loud and agitated voice, exclaimed, "God of heaven! what is *that?*" and he snatched the beads from Floralie's head, and holding them up to the light, trembling in every limb, he gazed eagerly for a moment at the gold clasp which secured them, and then dropping the beads on the floor, rushed towards me with a wild cry that smote upon my heart,

"My son!

"Oh! my long lost—my first born! I divined it, I knew it—and these beads confirm the instinct of a parent's heart. God, I thank thee!" and the hot tears fell like rain on my bewildered brow as he clasped me to his bosom.

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II.

I was petrified with amazement at this strange *denouement*—I could not understand it.

"It is my son!"

I began crying—I did not know what else to do. "I am not your son, I am a Pawnee. Kahtoli is my father." "Kahtoli is a base-hearted villain," said—my father, shall I call him? "He stole you away from us when you were a small child, and broke your poor mother's heart."

The truth, with the conviction of intuition, flashed upon me at once. I saw it all—the meaning of the mystery in Kahtoli's manner, the blue-eyed spirit of my dreams, and the faint unlinked memories, *disjecta membra*, of infantine hours, that I had sometimes to flit across my brain, now began to interweave themselves together—and young as I must have been, I gathered together in that brief moment some snatches of recollection of my abduction, enough to convince me of the truth, and I murmured, "father," as I clung to his embrace.

As for the worthy Colonel, he was so lost in astonishment that he could not utter a word, but sat back in his chair with his eyes rolling and his mouth gaped open, as if about to choke with sheer amazement.

Madame Overton picked up the beads and examined the mysterious clasp. It was a golden locket, in one side of which was set a small brown curl of silken hair, on the other were engraved the letters M. K.

It was the initials of my mother's name.

After the due season of hugging and kissing, and crying and wonderment, and abundant gabble was over, Col. Overton said,

"Well, Ernie, lad, you are in luck for a chap of thirteen—first Kahtoli, then the Aricaree, then myself, and now William, here—no less than four fathers. I say, Kerne, here is the last of the work of that infernal Leon Paul. Darn it, I would like to have got a shot at him."

"You did not see him at all, did you?" asked Mr. Kerne.

"Who—this creole, Kahtoli,—Leon Paul? No, indeed. I should have recognized him at once. He was in St. Louis while I was there, but I never saw him. Well, darn him, I say, his work is over now."

"How? Don't you suppose, from what Ernie told him, that he knows where to find him, and that he will be prowling around here as he used to do, to get a chance to make away with him again?"

"No, darn it—did'nt I tell you he was blown sky high when the Phœnix blew up?"

"Ah! yes—I had forgotten."

"Well, safe from his machinations, let us return thanks to a kind Providence, for restoring to us our darling lost one," said Aunt Eliza; and she took me in her lap and bestowed a kiss upon me, while her merry little eyes danced with joy.

Here was a new epoch in my life—one father lost, I found no difficulty in finding another, and this time apparently the right one. Here was Aunt Eliza and Aunt Lenora, now really such, as I was informed. Little white-headed master Thealan, and his check apron, my brother, and since the discovery, he had removed his finger from its normal locality in the corner of his mouth, to throw his little chubby arms around my neck. Floralie, now my cousin, as I learned, came in too for a share of kisses; and so forth, in this jubilatory juncture.

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It is needless to describe the scene which followed the discovery of my new relationship; and, as the fellow said about cursing his cart, when it turned over and spilled all his load of turnips, I feel I *can't* do it justice, so I shall say nothing.

The solution of the mystery was, as we soon learned from Mr. Kerne—my father, I should say—that Kahtoli had stolen me away from my parents when I was about three or four years old, and carried me off to the wilderness. The string of beads I had on when he kidnapped me, fortunately had never been removed, and now was the talisman by which Providence had permitted me to be restored to my true home and family.

My father related, in detail, the history of my abduction, which, in an abridged form, I will give to the reader now, as I received it in after years; for there was much of it that, at the time, I did not understand; and, in fact, I did not hear it all, for Toppy, now relieved of his natural reserve and timidity, was as lively as a cricket, and whispered into my ears, "*Brother*, lets me and you, and Florie and Parker, (the mulatto boy,) go in the hall and play. What's o'clock, old witch? Come on."

And away we went.

III.—LEON PAUL.

The Overtons and the Kernes, two old Virginia families who had settled in southwestern Kentucky about the same time, were come from the same place in the "old country," and had intermarried from time immemorial.

My grandfather Kerne had two sons and two daughters—Oliver, William, and Eliza and Lenora. My grandfather Overton had also two daughters and two sons; these married each other in the following order:

Oliver Kerne.....Sarah Overton,
William Kerne, (my father).....Mary Overton.
Sebastian Overton, (the Col.).....Lenora Kerne.
Jack Overton, (Florie's and Mary's father).....A Mississippi [lady, named Howard.
Eliza Kerne.....Spinster.

My Uncle Oliver I never saw; he died when I was in the wilderness; his wife was also dead—a son was left, however, a few years older than myself, who was living in M—— county, Tennessee.

Jack Overton married a Mississippi heiress, and having squandered his own fortune and hers in horse-racing, and other congenial sports, he broke his wife's heart by breaking his own neck, in attempting to ride up a flight of stairs on horseback for a wager of five hundred dollars. She did not long survive him, and left two orphan girls without a cent in the world.

These Aunt Eliza, who lived ostensibly at Reedyrill, but also half her time at Puckshenubbie, the residence of the Colonel, a mile distant, adopted as her own; not suffering their own uncle, Sebastian, to do so, though he anxiously desired to have them, or at least one of them, having been married two years without any likelihood of being blessed that way himself. Aunt Eliza had but a small property; but enough to support herself and her *élèves* with all comfort.

About the time that all these old folks were young folks, and my

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mother a beautiful girl of eighteen, there was a Louisiana planter, Etienne Paul de Lisblanc, a wealthy old Frenchman, who used to spend his summers in the part of Kentucky where my ancestors dwelt—now about fifteen years ago. He had amassed a large fortune by trading with the Indians. In the course of his journeyings to St. Louis and back, he found a Pawnee girl, the daughter of a chief of that tribe, whom he married, and by whom he had one child—a son—about the same age of my father, raised up in the same neighborhood; and, as the families were very friendly, Mary Overton and he grew up together. Leon, a handsome and accomplished youth, somewhat wild and passionate in character—after the traits of his mother's race—and Mary, the acknowledged beauty, and pride of the county—Leon, as a matter of course, fell deeply in love with her. Finding such an alliance a subject of aversion to Gen. Overton, who mistrusted the stability of young Leon's character, and also discouraged by Mary, who had placed her affections on her young cousin, William Kerne, M. de Lisblanc, who was about making a voyage to France, took young Leon with him, and left him at the University of Paris to finish his education, in the hope that absence, and new scenes and associations, and other charmers, would obliterate the inauspicious passion which had been created in the breast of his son.

Leon Paul, after two years forced absence, returned to Kentucky, upon the news of his father's death, with the fire of his youthful first affections still burning in his breast—the Indian never forgets—loving the beautiful Mary Overton as devotedly as ever, to find her the wife of his old friend and rival, William Kerne.

For a time he went deranged—became stark, staring crazy—grew thin and emaciated, and wandered about the woods, the shackling remnant of his former self. He at length, however, gradually recovered his senses, but settled into a melancholy misanthrope, and after moping about his plantation for a month or two, till his mother also died, he sold his estate to a gentleman by the name of Iveson, who had recently moved into the neighborhood, and suddenly disappeared from the country, and nobody knew what became of him.

Two years afterwards Mrs. Kerne's little boy, Overton Kerne, the pride and darling of his mother—as a matter of course—was one day with his nurse out in the meadow which skirted the brook from whence the estates of Reedyrill derived their name, whither he had been carried by her for the purpose of a ramble in the fresh air, amid the hay and flowers—she was playing about near the edge of a wood, when suddenly a man rushed out from the bushes, seized upon her, tore away the child, and vanished in the woods. Her screams soon aroused the family—everybody was in arms—the most rigid and indefatigable search was made by the whole neighborhood, but not a trace could be found of the abductor.

The nurse, in whom all confidence could be placed, affirmed that it was Leon Paul. And the attestation of one or two neighbors and some of the slaves, that they had seen him prowling about for a day or two before, confirmed this belief.

IV.—REEDYRILL.

Reedyrill is situated about three miles from the village of Haysville, in the southwestern part of the state, in that portion of Kentucky called the "Barrens."

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"The Barrens of Kentucky are by no means sterile, as they have sometimes been represented. Their local appellation, however, had so much deceived me before I traveled over them, that I expected to find nothing but an undulating extent of rocky ground, destitute of vegetation, and perforated by numerous caverns. My ideas were soon corrected. I saw the "Barrens" for the first time in the early days of June, and as I entered them from an immense forest, I was surprised at the beauty of the prospect before me. Flowers without number, and vieing with each other in their beautiful tints, sprung up amidst the luxuriant grass; the fields, the orchards, and the gardens of the settlers, presented an appearance of plenty, scarcely anywhere rivalled; the wild fruit trees, having their branches interlaced with grape vines, promised an abundant harvest, and at every step I trod on ripe and fragrant strawberries. When I looked around, an oak knoll rose here and there before me; a charming grove embellished a valley; gently sloping hillocks stretched away into the distance; while at hand the dark entrance of some cavern attracted my notice, or a bubbling spring gushing forth at my feet, seemed to invite me to rest and refresh myself with its cooling waters.

"The timid deer snuffed the air as it bounded gracefully off; the wild turkey led her young ones in silence among the tall herbage, and the bees buzzed on every flower. If I struck the stiff, glossy foliage of a black-jack, perchance there fluttered up before me in dismay the frightened grouse and her cowering brood. All was beautiful; and I thought the "*Barrens*" must have been the part from which Kentucky derived her name of the *Garden of the West!*"*

Such are the Barrens—a lovely garden of nature. In just such a landscape was situated the romantic little village of Haysville, in a wide shallow vale, surrounded by undulations very low, and in many places tabling off into a perfect level of thousands of acres of mingled barrens and rich groves, and dotted with broad tobacco plantations, stately farm-houses, and little white groups of cabins for the slaves. The plantations are capacious and highly cultivated, but not crowded, since the whole county lands were in the hands of a few individuals, and there were, consequently, large tracts of unopened land, which gave a rural beauty to the scene. In fact, the wooded land and barrens predominated over the plantations, so as to cause the latter to appear as openings in them.

I have already mentioned the park, or "woodland," as we called it, fronting the farmstead to the south. This park, about a hundred and fifty acres in extent, was a slip of the original forest, an immense grove of which skirted two sides of the plantations, the other two sides opening on the barrens. Through the lower part of the park, running westerly, was the gentle and lovely reed-bordered brook, we called Reedyrill, separating the park from the meadow slope beyond. To the west of the house, which was built in the midst of grounds sowed down in Kentucky blue grass, and tastefully adorned with walks, shrubberies and flower-borders, was a beautiful garden, a greenhouse, conservatory, and various tasteful architectural fancies, setting off the sombre stateliness of the old Gothic hall, which it was large enough to be called, though we termed it simply the "Cottage;" up to which swept the pebbly avenue leading from the great gate which opened on the road. Next to the garden came the old orchard, skirting the road to the left of the woodland as you approached from the road which led to Haysville. To the east was a small grass lot, fenced in with a high white paling, beyond which was the "negro-

* Audubon's Ornithology, Vol. V., p. 93.

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quarter," a row of nice white cottages, the stables near by, and also some tobacco barns, and one or two other out-houses; in all making it look almost like a little hamlet. Beyond the "quarter" was a green slope covered thinly with trees, which led down to an enormous pool of pure cold water, formed by a cavernous hole in the limestone, known all the country over as Reedyrill Big Spring. On the other side of the slope was an old field, the first clearing that was made, forty years ago, by my grandfather, after he settled in Kentucky; the other side of the old field was skirted by the forest again, and at some distance across a dark lane, which penetrated the grove, peeped out from the trees, the chimneys and gables, and one or two shaft-like Lombardy poplars of Puckshenubbie, the residence of Colonel Overton, some three quarters of a mile, perhaps, from *our* house.

Across the woodland, somewhat in the direction of Puckshenubbie and the road thereto by the brook-side, and at the foot of the meadow slope, in a little slip of woods between it and the old field, stood a small church, or chapel, built of gray oolitic limestone, in the Norman Gothic style, with an octagon tower—an exquisite little gem of art, built by my two grandfathers, Overton and Kerne, at some considerable expense, for the benefit of their families and neighbors; and also their slaves, to whom a conspicuous gallery was appropriated. My grandfather Kerne was—as every *old* Virginian should be—a stanch high church Episcopalian. General Overton, on the contrary, and all the Overtons, were Catholics. They got along, however, much more amicably than might be expected, in regard to religious matters. A Catholic priest, father Claude, was the regular incumbent of the chapel, though the clergyman at Haysville Church performed the Episcopal service every other Sunday. There were but few Episcopalians in the county, and only two Catholic families of any importance—the Overtons and Squire Iveson, who bought out M. de Lisblanc. Being thrown into the minority, the two worthy priests, both men of piety and erudition, formed a defensive alliance against the Presbyterians, who were the most numerous sect in the county.

This little "chapel," as it was called, gave a beautiful and romantic effect to the lovely landscape around. It was nestled in a little dell near a small massive bridge, built of the same kind of stone spanning the brook, on the pathway leading through the woodland from Reedyrill to Puckshenubbie; it was surrounded with holly, spruce, hemlock, cedars, and other evergreens, among which were a few marble monuments. The bones of my fathers slept there: and two slabs, one on each side of the pulpit, contained the inscriptions of the age, death, and virtues of my two worthy grandsires, in the good old world style. The Overtons and Kernes were very antique, conservative folks in their notions of things.

How did my heart melt with sadness the first time I wandered among those gravestones, on seeing on one of them, 'neath a red-berried holly, the simple inscription—"Mary Overton, wife of William Waldomer Kerne, ætat. 28, an. dormit."

She sleeps! Oh, my mother! I never knew you but in my dreams. Those mild azure eyes, that angel face, which ever like a blessed spirit has haunted my heart—those eyes, so tender, they are the loadstars which, in sunshine and storm, have ever beamed upon my soul, thrilling it, filling it with heaven's unspeakable joy. But she sleeps—in the cold grave!

The plantations of Reedyrill were extensive, devoted chiefly to the culture of tobacco, and they stretched out to the north and north-east side of

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the house in many a broad, rich acre, over which was studded here and there a vast pyramidal roofed barn for its reception. All this landscape for miles around could be seen from the house, which was more elevated than the adjacent country. The house itself was built in the style of a Gothic cottage, with more dormer windows, oriel windows, sharp-up gables and slate roofs, with over-jutting eaves and quaint cornices, more high stacks of chimneys and odd things than I could take time to enumerate. Here, at this rare old home, did the golden hours of my boyhood fly away in all innocence, contentment and bliss, unshadowed by scarce a cloud of sorrow; and those clouds that came were but those of April showers, that left things brighter when they passed away, until my eighteenth year: then indeed came a cloud which hung like a black pall over the heaven of my life. But even it, dark and gloomy as it was, passed away—strangely soon away. And then I was sent to college, and afterwards to mingle for the first time with the busy scenes of the world, to sully for the first time the purity of my young heart with the slough of the world's wickedness.

V.

Many were the sunny hours that Floralie Overton, my brother Chunk, and myself, whiled away in that happy elysium of Reedyrill, shut out far away from the turmoil of the dark chaotic world. But I shall not expatiate upon them; it was the simple and innocent joy of childhood, which, however beautiful, is too monotone to dwell long upon. For those whose childhood has been happy, it is unnecessary—they have only to draw upon their memory; and those who have not, could not see into the depths of such happiness.

In a short time I began to get accustomed to my new home, and the new modes of life I had entered upon. In twelve months I became quite civilized, and such is the pliability of a young mind, that already my life in the wilderness seemed almost like a dream to me.

In my thirteenth year I was started to school, having been previously taught at home by aunt Eliza, who took a delight in "civilizing" me.

My father purchased a little pony for me to ride on every morning. I was to dine at Dr. Montmery's, who was our family physician, and the particular friend of my father. His little son Isaac, some years younger than myself, was going to Mr. Rumsey, a fine old classic gentleman, who had from time immemorial taught the young ideas of Haysville how to sprout—principally by using the *sprout* very freely upon them. Accordingly, one morning I mounted Vubbin, my pony, and papa his big horse, and we rode into the village together.

The school-house was a tall old rusty brick building, in a large yard, shrouded by gloomy-looking locust trees, and surrounded by a high fort fence, which utterly precluded those within from having any cognizance of what was transpiring without. We entered a dusty ante-room or hall, whose walls, hung around with festoons of dingy cobwebs, were scribbled over with straggling scratchy names, rude caricatures, and sundry designs in charcoal and chalk, entirely hieroglyphical to me. An old smoky map of the world, a broken globe, dilapidated desk or so, and an ominous bundle of hickory switches in a corner, some of which had evidently seen service, constituted the furniture of the room. I had barely time to make these observations, when a muffled hum of an indescribable character, from

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within, which had saluted my ears, was hushed by my father's knock at the door, and a snub-nosed lad opened it, with an invitation for us to walk in. The hum had been resumed, and as we entered, a perfect Babel, in a small way, sounded in my astonished and bewildered ears.

I beheld a large room filled with rows of wooden desks, cut and hacked and stained with ink, and at each desk sat a couple of boys at their respective tasks.

One shock-headed urchin, in a blue jacket and dirty white trowsers, with swollen eyes and inflamed cheeks, was standing near the master, and crying and studying at the same time, in a dolorous sing-song tone, which evinced that he had been undergoing the "sprouting" process pretty extensively.

"Boo-oo–Baffin's Bay, Baffin's Bay! Cape–boo-hoo–Farewell.

"Oh! Lordy! owh!" (as a whack from the master's birch saluted his chubby shins for some misdemeanor of the moment.)

Another, with lank yellow hair and turned-up nose, made some telegraphic signal to the teacher, which being answered, he jumped up and ran to the fire, and broke out somewhat in the tune of Old Hundred, as he turned up his frock tails to the fire, with "E-ter–ter–n-i–n-i–ty-ti–Eternity."

But this took place just as we entered; for as soon as we came forward, the master, who was a fine-looking portly old gentleman, with fair florid complexion and silken silvery hair, and intellectual Grecian features, rapped on his table with a ruler, and in an instant all was hushed. All those noisy brats turned their staring eyes and gaping mouths upon me, and a suppressed half-audible titter arose as I slunk along, behind my father, terrified at this novel scene.

The red-eyed geographer ceased his snubby song, and placing his thumb on his nose, twirled his fingers at me, as he looked over the master's shoulder with a very significant grin.

"Mr. Kerne!" said Mr. Rumsey, in a deep-toned, mellow voice, "happy to see you, Mr. Kerne. This is young master Ernie, eh? coming to prepare for the battle of life, is he? Well, well, we'll see what we can do towards making him a good soldier." In my innocence I thought he meant battling in good earnest, which puzzled me no little.

After some conversation with him in reference to my studies and other preliminary matters, my father took his leave. Then my heart sunk within me, the tears rose to my eyes, with a shocking sensation in my throat, for I felt lonely and afraid, as a sensitive boy will feel on his first introduction into school. Mr. Rumsey assigned me a seat and a desk, and the hubbub renewed itself as before. I took my place behind my desk, and leaning my head on my hands, I wept in silence. Mr. Rumsey apparently had some sympathy and appreciation for my feelings, and let me finish my weeping unmolested. I was, however, interrupted presently by a pinch on my elbow: and raising my head, I found a bright merry-faced boy, a little older than myself, with fine black eyes, aquiline nose, and a head covered with shining black ringlets, sitting by my side, and looking at me with a kind, but jovial expression, as he whispered:

"My name is Charley Scamper: we are going to be chums, it seems, and we had as well be friends. I know your name; Bolivar Blount told me, and he says he thinks you are a very clever fellow as far as he knows, so we must be good friends. You know Bolivar, don't you?"

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"I have seen him at our house, and have been to his house once or twice, and I know him tolerably well."

Bolivar was the son of an old lawyer who did business for my father; he was about my age, and as our families visited, I had formed some acquaintance.

I agreed to Master Scamper's offer of friendship, for I was pleased with his frank, open, and handsome countenance.

He then began telling me who were the "clever fellows" in school, and who were not, designating the latter by the expressive, but unmelodious appellation of "sneaks."

"But," said I, interrupting him as we whispered together, "Mr. Rumsey told me I mustn't whisper or talk in school, and I think we had better postpone it till playtime."

"'Pshaw, he won't do anything to you the first day, and, besides, he'll never find out if we whisper, and look on our books as if we were studying; the boys make so much noise in studying, that he can't tell who talks and who don't."

I did not come into this plan of deception at first very readily—no boy of honor ever does—but I soon began to find out that a code of honor was in practice among the schoolboys, of a very different character from that to which I had been accustomed, by which lying to the teacher about some things, and circumventing and deceiving him in a great many others, was considered as a very laudable and praiseworthy performance.

When school broke up at dinner-time, the boys, with an uproarious yell, made a simultaneous rush for the play-ground, and Scamper hurried me along with him. As we were standing talking together, and several lads grouping around to scrutinize the new comer with a rude stare, the lank-haired fellow, who had been spelling at the fire-place, came up to me, and cried out—

"Halloo, boys! come up here, and see this little Injun that Mr. Kerne brought to school this morning. I say, green 'un," he asked, in an impudent tone, and accompanying the question by pulling down the corner of his eye with his fore finger, "can you give me change for that?"

I looked at him, and though I did not understand the expression or the gesture accompanying it, from the laughter of the boys I knew he intended to insult me. Boys, as a general thing, are very brutes in their natural disposition, and a new comer never gets amongst a herd of them without being tormented, and cowed by them, if he will permit it. But I was not of the sort that would brook such usage. Colonel Overton had told me before I started to school, never to give an insult and never to take one: fight first, whether I was whipped or not. And I now found a fine chance to get a sound thrashing in defence of my honor; for the fellow, whom the boys called Tory Owens, was larger than I, evidently stronger, and well disposed to fight. However, I doubled up my fists, and replied, that if he repeated his question, I would try and see whether I had any "change" for him or not.

"Hurrah for the little one!" cried a tall, slovenly fellow, with a good-humored face, and a slouchy gait—"I'll bet on him;" and as the boys gathered round, crying, "Hit him, Owens!" "Go it, little one"—he gave me a shove which sent me against Owens, and nearly threw him down. The latter took this as a signal for battle, and accordingly planted a blow

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between my eyebrows, which reeled me up against Charley Scamper, and made me see stars.

Choking with rage, and half blinded with pain, I nevertheless contrived to administer a well-aimed kick on his shins, which sent him off howling. He rallied, though, immediately, and returned to the charge. This time Bolivar, stepping between us, declared that he was too big for me, and quickly knocked him down. I objected to this, and begged him not to interfere; and when Owens arose, we went at it again, and after a bloody battle, I got him down, and was poking my thumbs into the burrs of his ears, when he cried out "'nuff," and fairly gave in.

By this time Blount had joined us, and shaking me by the hand, complimented me on my conquest. "I'll bet on Indiano here all the time," said Scamper, patting me exultingly on the back—"you are of the right grit, my boy; if there's any boy here of his weight, or ten pounds over, I'll bet a dozen marbles he can whip him." And he looked around the crowd much as a cock-fighter would when betting his favorite against the field. There seemed, however, to be no competitor to take up his offer, and loth that so fine an opportunity for a fight should be lost, he turned to the tall chap who had pushed me on: "And now, Wad Aukley, what did you mean by pushing Indiano against him?"

"None of your business," replies Wad, emphatically.

"I intend to make it my business," rejoined Scamper, divesting himself of his coat and cap, which he handed to a fellow called Jack Stiles, who was appointed umpire. They then had a sharp set-to, in which Aukley was worsted, but my friend Scamper did not come out unscathed.

It was with such boys as these that I had my schooling; brave as lions, most of them, full of devilment, preëminently "up to snuff," taking a delight in smoking a greenhorn, or kicking up a fight: but though noble-hearted, high-spirited fellows, they were withal, as a general thing, rough and coarse in their natures, with no delicate sensibilities; in fact, any show of such was despised and ridiculed by them. And they took delight in jeering any boy who manifested any timidity or bashfulness in his disposition.

Charles Scamper was, perhaps, endowed with higher and more refined feelings, which he maintained by dint of his animal courage. Bolivar was a quiet and more gentlemanly boy than most of them, but both of these relished a bit of fun at the expense of some shy youth, whose very diffidence laid him open to the rude assaults of his heartless companions.

For my part, my good success at the outstart in my conflict with Owens, gave me character in school as a boy of "spunk," and I had nothing to fear.

VI.

I don't feel disposed to detain the reader with the details of my school-boy days: they passed much as the school days of other boys have passed, perhaps, in a general view, and it would occupy too much space to enter extensively into particulars.

Suffice it to say, that Domine Rumsey was a schoolmaster of the olden time, none of your new-fangled Yankee innovators. He was a gentleman and a scholar. His mind was of a stamp higher than ordinary, well culti-

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vated, and possessing even a tinge of romance about it. He was a talented man, and had it not been for his diffidence in public, which was excessive, I make no doubt but he would have made a distinguished one, for besides being a ripe scholar, he was a fluent and eloquent orator.

He was of commanding and portly form, with intelligent eye, deep mellow voice, a benignant and handsome countenance, and the most beautiful silvery hair I ever saw. The boys all loved him, while they equally feared him, for he did not spare the rod when it was needful, and, we used to think, often when it was not needful.

I say the boys all loved him: as far as I knew they did, with one exception, Charley Scamper, who was a wild, harum-scarum fellow, and who, for his incessant mischief, peccadillos and wayward whimsies, was almost always falling (literally) under the rod of his displeasure; he consequently swore the good old domine was a petty tyrant, and vowed implacable hatred and eternal vengeance against him.

Charley was a wild, wayward fellow, and a genius; and though I would rarely join in any of his mischief and rattlebrained rascality, except what I deemed to be the right and prescriptive privilege of a school-boy to engage in, yet he took a prodigious fancy to me from the first, probably for that very reason, and he and I became great cronies.

Bolivar Blount was a quiet, steady, phlegmatic fellow, and even at that early period showed the embryo of the cool, calculating man of the world. But with these disadvantages, as *I* deemed them, Bolivar had some redeeming traits which endeared him to me. He possessed a good mind, an amiable disposition, a fund of quiet humor, and a manifestation of a sort of dry fun (and not always dry either) that I relished vastly. He was honest and honorable to a degree that gave him the soubriquet of "Old Honesty" at school. A friendship sprang up between us, which has lasted to this day.

Charley Scamper was finely formed, graceful, muscular and active; his complexion was a clear rich *brun*, almost approaching to olive. He was accounted the handsomest boy in school when I came there.

Bolivar was a thick-set, square-built boy, with straight, black hair; his complexion was darker, perhaps, than Scamper's, but was more opaque. Bol. was not handsome, neither was he ugly; his was one of those faces which do not strike us particularly at first, but which become highly pleasing to us as we grow more familiar.

Wad Aukley, the fellow whom Scamper had a bout with, was a tall, muscular fellow, but clumsy, awkward, and ill-arranged. The most perfect gawk I ever knew.

He had a high, round forehead, running up into two sharp peaks over his temples, and surmounted by a suit of thin, sandy hair; a long, pointed nose, broad, coarse mouth, a shuffling, slouchy gait, stoop shoulders, and huge, ill-carved hands and feet. He was the laughing-stock of the school, and the whole village decided unanimously that he was a fool.

But Willy Aukley, or Wad, as he was always called at school, was one of those characters who always show to a disadvantage. He possessed a good mind, was apt and quick to learn when he tried, but had so little application, and was of such a nervous, impatient, and yet lazy disposition, that he never could apply himself to one thing for twenty minutes at a time. He had some imagination, but not of a very refined or delicate character. He delighted principally in low burlesque, farce,

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and broad and salient humor, and his fancy ran in a rough, turbulent stream. His laugh was loud and uproarious, as is always the case with such risibilities as Aukley's.

We were all three in a class together, and while Bol. was invariably head, Wad was as uniformly found foot. Charley and I disputed the second rank between us, not that either of us strove as much for the honor as we should, for we would often have been foot had it not been that it was impossible to know *less* than nothing about the lesson, which was the amount of Wad's knowledge generally. I did study some, and was fond of it, but my own nervous and impulsive temperament prevented my perfect assiduity. I generally kept next to Bolivar, for I had more application than Charles. Charley was too erratic to apply himself, and Wad too lazy. His greatest antipathy seemed to be mental exertion. Now either of them could have mastered a lesson in five minutes, which would have taken Bol. half an hour; but then Bol. always devoted his half hour to it, and the other two rarely five minutes.

Such were my associates: these three boys, as great contrasts as could possibly be imagined, and by whom doubtless my own character was in some degree biased, (for they were all older than I,) at least by Scamper and Blount, for Wad Aukley was more influenced by me than I by him.

I have often thought that Bol. was my good, and Charley my evil genius; and yet the latter often created lofty, noble and poetic sentiments in my bosom—the former never. But, on the other hand, I never followed Bol.'s advice or example without a clear conscience, which was not the case always on the other side.

As an illustration: one afternoon as Bolivar and I were going to school —I had now ceased going from home, and was boarding at Squire Blount's—we met Charley Scamper, who seemed to be in a great glee about something.

"Halloo, boys!" he exclaimed, as we came up; "I've found the greatest treat you ever saw. I want you to come and look at it. Oh! it is beautiful."

"What is it?" we both cried in a breath.

"The most charming oriole's nest, down in an old tree by the millpond; it is a perfect beauty."

"Is that all?" laughed Bolivar; "I would not give a straw to see a paltry bird's nest."

"Not unless you thought there was a dime to be found in the bottom of it," retorted Charley, who, though on very friendly terms, did not like him as much as I did. "Come, Ernie, you have more taste; come and see my little bird's nest; it is worth a walk to see it, so curiously constructed; and there are a pair of little ones in it. Let's go and look at it, and watch the old ones feeding their young."

"I wouldn't go, Ernie," said Bol.; "you will be too late for school, if you do. Charley will get you a flogging, if you don't take care."

"Oh! we've plenty of time; come on," replied Charley, impatiently; "I wouldn't let Bolivar Blount lead me by the nose, if I were you."

I wanted much to see the bird's-nest; for, though not so enthusiastic an ornithologist as Scamper, yet I was naturalist enough, in a general way, to fancy such things. I did not wish to be too late for school, and yet was unwilling to have it thought that even my friend Bolivar could lead me by the nose; so I took Charley's arm, and turned back with him.

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"If you will go, Ernie, get back by the time school goes in," said Bolivar.

"I will; we've plenty of time. Won't you go with us?"

"No, I can't. We've got thirty lines in Horace to read this evening;" and he turned away.

"Thirty lines in Horace!" cried Charley, contemptuously; "why, you or I could read them in ten minutes; and even if I don't, I can bungle through it tolerably, anyhow. I wouldn't mind Bolivar; he's nothing but a stupid plodder, and has not three ideas in his head. I don't see what pleasure you can have in his company."

"You do him injustice, Charley," said I; "he's not so full of high and refined conceptions; has not the same sense of the beautiful, perhaps, as yourself; but he is an honorable, noble-hearted boy, the best scholar in school, and a very clever fellow."

"Well, I don't think so. I never could see where his smartness is; anybody could acquire knowledge with the labor he does. Ah! yonder comes Wad Aukley; he'll go with us, I know."

It took no persuasion to get Aukley away from studying, and he readily joined us.

"I don't care about your bird's nest," said he; "but if you are for a ramble, I'm your man. But I have something better to propose. See here," and he showed us a small pistol, which he had in his pocket, "I move we go down to the river bank, and shoot at a mark. I've got plenty of powder and balls."

"We can do both," said Scamper. And doing both kept us so long that we were too late for school, as Bol. had predicted. Wad Aukley now proposed that we should play truant for the evening; but I would not consent, and we started to return. On our way back we were overtaken by a shower, which caused further delay, and made us all wringing wet.

The domine's brow was black as we entered the school-room. He was hearing Bolivar recite the Horace lesson.

"William," said he, in an ominous voice, to Aukley, "what has made you so late, sir?"

"Why, sir," said Aukley, scratching his head, "the fact is, I didn't hear the bell till after it was done ringing."

This blunder caused the old domine to laugh; and it was proverbial in school, that if you could excite a smile, you would be safe from a flogging.

"And Charles, when did you hear the bell?"

"I didn't hear it at all," he replied, surlily.

"You didn't, eh? You dirty scrub of the earth. I'll whale you while I can find you. I'll learn you to hear and feel too."

For my part I made a simple statement, and got off with a reprimand; but Charles caught a drubbing. He did not know how to get around the old gentleman, like Aukley, or else he disdained to do it. Charles always went through the briers rather than go around them, and invariably got scratched for his pains.

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LAMARTINE.

When we regard the course of events in our sister republic, France, we are fondly desirous to see our institutions reflected there; but if we study the character of those who founded our institutions, and compare them with the men who founded the French Republic, we shall have little room to hope for much. The man on whom the hopes of Europe turned in the hour when Louis Philippe became a fugitive, was but a poet, who had sung the praises of two royal masters, and as he himself stated—"By the services and family of my father, I belong to Charles X.; by the family and services of my mother, I belong to the House of Orleans." What a strange material is this of which to compose the organizer of a republic! As M. Lamartine's course has been mostly literary, it may be traced as it has been variously recounted.

About the year 1818 there arrived at Paris, with a volume of verses for sale, a nameless young man, or, at least, one who had no right to any other appellation than that of his father. He was nearly twenty years of age, of a slender but elegant figure, with a markedly aristocratic air, indicating one of those choice natures for which Despréaux himself would not have dreaded the deafness of Phœbus, or the restiveness of Pegasus. But Phœbus and Pegasus were very distant then! There had just appeared upon the horizon that poetic school of which the destinies already confusedly revealed themselves through the voice of their precursors, and the young man of whom we speak, seemed the living personification of that new poesie, with its elegiac tendencies, its revivals of Christianity, its pious sympathies for the past, and its harmonious mixture of love, chivalry and faith.

He arrived from one of those hills of Bourgoyne which he subsequently immortalized, and where, under a peaceful roof, he had passed the first years of his youth. He confidently entered into that Paris, which is the secret end of all juvenile aspirations—the mysterious pole towards which tends without cessation, all magnetized imaginations. His luggage was light, as is the case with all true poets. He brought only his thin MSS., and a letter from a charming lady, who was temporarily detained in the province. That lady, very intellectual, although a *royalist*, recommended the young poet to one of her friends in Paris, who was very amiable, although a *liberal*.

"My dear ——," she wrote nearly, "I address you from the place of my provincial exile, and this letter will be handed you by a young man, whom I recommend to you, as we usually recommend those of whom we have ourselves no present want, that is to say, with all my heart. He is handsome, that you will see. He is intellectual, that you will hear, and besides all that, he makes verses. You will ask if the verses are good? But we ladies never find merit except in those lines which are addressed to us, and I am not his Elvira. But I beseech you to receive him with your Sabbath disposition, which with you is that of the whole week, and also with that smile which is at once an inspiration and a recompense. I beg of you further, but softly, to protect him among those *Jacobins*, as we

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call them here. I am sure that you see much of them, and that you could already have converted them, if, traitor that you are, you had made proper use of your fine eyes to recall the infidels. They pretend up there that they regulate the political atmosphere—alas! they only await the storm! Beg of them, however, to vouchsafe a little of their sunshine to the young poet whom I send you, and promise them the acknowledgments of a poor exile, who would wish to be among you if only to scold you and to say that she loves you."

The person to whom that letter was addressed, received the young provincial with perfect benevolence. It happened that many of the intellectual "Jacobins," who were at that time, by means of the saloons and the academy, practising the part of politicians, were to dine on that day with the hostess of the poet, and she proposed to introduce the protégé of her friend to the party. Accordingly, in the evening, before he arrived, she gave notice of his appearance; and as the conversation was of poets, she declared her intention of requesting the new comer to recite some of his verses after coffee. The manifestations of chagrin at this proposal, induced the promise, in guise of compensation, that the coffee should be excellent. The young man entered, and his appearance was prepossessing. He had that air of provincial modesty which men destined to become illustrious know how to observe before they are known to fame. Many of the company remarked in a low voice—What a pity that a person of so respectable an appearance should make verses! They seated themselves at the table, where the stranger heard much, eat little, and talked less—all auguries in his favor. Soon the coffee arrived, which each sipped with wise deliberation, until the mistress of the house whispered some words in the ear of the poet, who bowed in sign of obedience—preserving, however, in that critical moment, the exact shade imposed by his position, between the eagerness which would betray anxiety to be heard, and that resistance which would badly conceal a desire to be solicited. The audience composed themselves to listen as best they might, with polite resignation, and with the air of men who, having dined well, prepare themselves to put the best face on all that may happen. Then, with a sympathetic, vibrating, affected voice, the unknown commenced "The Elegy to the Lake."

Alphonse de Lamartine had not reached the 18th verse of that enchanting elegy, when he was interrupted by one of those cries of joy and astonishment which mark the advent of a Columbus of thought in a new world of intellect—a Leverrier of intelligence in discovering a new planet. The agreeableness of the surprise was great in proportion as the dread of ennui had been considerable; and it is said, that M. Villemain, who made one of that happy auditory, sprang towards the poet, and seizing his hands with an enthusiastic vigor, that much resembled anger, exclaimed—"Young man, whence come you, that you bring us such verses as these?"

From that day a new star shone in the poetic heaven. The triumphs subsequently attained by M. de Lamartine were only the logical developments of that first soiree, when a dozen select friends were startled by the sudden revelations of his genius. The success which marks such an epoch, resembles the uncorking of a vial of those precious essences which, before they spread their fragrance on the air, have already, in the narrow flask which encloses them, all their virtues and their perfumes.

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But from that day, also, M. de Lamartine took political rank among royalists, and religious rank among Christians. His political creed at that time manifested itself in the motto to his first publication—"*Meditations Poétiques*," in 1820, viz., "*ab Jove principium.*" This sublime axiom, inscribed on the first page of a book dedicated by a royalist to the most ultra-royalists in power, M. Châteaubriand, and others, was received as it was intended, viz., as an acknowledgment of the divine right from which both kings and poets derive their power. This toadyism, and his subserviency to the returned *Bourbons*, procured for him the appointment of attachée to the legation at Florence.

Through marriage with an English lady, he gained a fortune, which was increased by the death of his uncle, and his Bourbon loyalty promoted him to the secretaryship of the legation at Naples and at London. He nearly ruined himself with his employers, however, by his "*Death of Socrates*," in which, seduced by the imposing spectacle of a great man victimized to popular fury, he somewhat abated his flunkeyism, and the work was less successful. He made speedy amends, however, in a new work, called "*Nouvelles Meditations Poetiques*," in which the political toadyism of the first publication, on which he had thriven so well, was "enlarged and improved," and first impressions were revived in his favor. His natural and inordinate vanity was so excited by this success, that he had the folly to attempt to add a fifth canto to *Childe Harold.* The only relief from the ridicule this excited, was his narrow escape from death in a duel with a Neapolitan officer, who challenged him for the supposed libels on Italy which his spurious canto contained. Following the maxim of the Stuarts and most despotic kings, viz., that, "to take a stone from the Church is to take two from the throne," M. Lamartine now published his "*Harmonies Religieuses*," in which the elegy ran into the canticle. It would seem that the profitable, but rather uncertain Christianity expressed in the first "meditations," confirmed and softened by family affections, had become confirmed into the steady purpose of a Christian sure of his object. The dreams, instead of losing themselves on the borders of lakes, soared towards heaven, and became prayers. This aided him in procuring admission as a member of the Academy, and getting the appointment of minister to Greece from the tottering government of Charles X. Before he entered upon this new duty, the revolution of July shifted, as by sleight of hand, the occupant of the throne. The family that M. Lamartine had toadied from 1817 to 1830, gave place to the one which he had perseveringly attacked, and point was now given to those attacks, by stupidly publishing new editions with the most pungent satires upon the House of Orleans stricken out. The rigidity of his monarchical principles, and the power of royal commands over his pliant mind, was apparent in the *Chant du Sacre*, wherein, as the official instrument of Charles X., the lyre emitted the following strain :—

"d'Orleans:
Ce grand nom est couvert du pardon de mon frère:
Le fils a rachetè les *crimes* de son pere."

The finger of d'Orleans, become royal, interfered, however, and the lyre changed its note to the following :—

"Le fils a rachetò les *armes* de son pere."

It is not to be supposed that M. Lamartine belongs to that mercenary

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race of mortals who change with the caprices of the fickle goddess, keeping always the shoulder turned to misfortune, and the knee pliant to prosperity. The glory of great genius is not to be influenced by those causes which raise or destroy thrones. Their place is above all political changes. They belong to an age, and not to a reign—to a nation, and not to a party only. The motives which influence other men cannot be ascribed to them, because they are unaffected by the same circumstances. Neither the driving clouds nor the raging storm affect the eagle, because he builds his eyrie above the influence of either.

But if these privileged men escape the weaknesses of ordinary mortals, they have also their shoals and perils; they in effect are not men, but are lyres; they neither feel nor think, they vibrate; they do not speak, they resound; each ruffle of the wind, each murmur from heaven, from earth, or from beneath it, glides over the chords, and draws thence a sound always melodious, never passionate. From being thus forced to sing all that affects them, they end by not being affected by anything that they sing, and they acquire the faculty of responding with sublime notes to everything which touches them, with the indifference of an instrument which obeys every hand without being devoted to any.

It was thus with M. Lamartine. The restoration was to France a royalist era, and feudal reminiscences, mingled with the public manners, histories, literature, and even the caprices of fashion, were influenced by the revived royalty; accordingly, the lyre responded aristocratically to the surrounding agitation—a throne fell—a new state of things presented itself—a sort of interregnum between a departing dynasty and the accession of a new one. The whirl of events drew from the passive instrument only confused and *rapid sounds.*

However willing he might have been to sing the glories of the Orleans dynasty, the unforgiving nature of the Bourbons seemed to present an obstacle; and the poet, turning politician, offered himself as opposition candidate for the deputyship from Dunkerque and from Toulon, but was defeated, of course, and the harp hung on the willows.

Greedy of new impressions, however, M. Lamartine set out for the East, surrounded with a princely pageantry. It is not a little singular that the man who, in 1848, was so eloquent in favor of black emancipation, in 1832 left Marseilles for the East with a large retinue, which was swollen by numbers of slaves, purchased, not for the indispensable culture of the ground, but to swell the pomp of a royalist poet, about to become a republican politician. He trod that land at once sacred and profane, depository of the most profound truths and the lightest fables, Mahometan guardian of the cradle of Christianity, with wavering step. In the soul of M. Lamartine, as in the splendid horizon of that latitude, where the mists seem luminous, and where the light is bathed in mist, truths and fables, Mahometanism and Christianity, mingled in wild confusion, and the "lute" received a new impulse, under which it emitted a new song—that of universal tolerance—where all religious dogmas are to be treated with equal respect. One step further, and the poet arrived at the last shoal of modern dreamers—viz., pantheism, a brilliant Utopia, where they love to define the great first cause, sometimes as good, sometimes as nature, again as mind, and also as form. That deification of matter found still a responsive chord in the indefatigable lyre, and that powerful but insensate chord exhaled the "*Chute d'un Ange.*"

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This whimsical production of M. de Lamartine is, we believe, the only one of his works which had not a happy destiny. It may be supposed to occupy, in the domain of fiction, a place analogous to that occupied by the history or romance of the "*Girondins*" in that of reality. It is written with the same vigorous and ardent style, drawing the reader through its misrepresentations, false deductions and errors, as the indomitable horse of Mazeppa drew its hapless rider through the brush and briars of the Ukraine. There are the same traces of rapid improvisation, arrogant negligence, and superb contempt for the finish of details. It is still pantheism, leaving remote traditions, in order to apply itself to the events of recent history; social pantheism, finding its gods everywhere—in the utterance of the forum, in the bureau of the pamphleteer, on the lips of the demagogue, in the street, in the gutter, in the malice of the murderer, and in the appetite of the cannibal; and, regarded from the political position occupied by the author for more than twenty years, his patrons were justified in regarding it equally as the "*fall of an angel.*"

The return to France from the East was followed by a return to politics; and the poet, being returned as deputy from Dunkerque, had an opportunity for oratorical display. But his strange enigmatical orations were understood by few persons, and cared for by a still less number. Gradually, however, the subjects on which he spoke being generally of literary or moral natures, such as against capital punishment, in favor of foundlings, &c., giving scope to his rhapsodical transcendental style, made up of unmeaning phrases and pointless sentences, gradually won for him the position of mouth-piece for the socialists, a party without either definite ends or means to attain them, but whose principles were beautifully expressed by M. Lamartine in defining his own views:

"The organic and progressive constitution of the entire democracy, the diffusive principle of mutual charity and social fraternity, organized and applied to the satisfaction of the interests of the masses.

"The beautiful is the virtue of the intellect. In restricting its worship, let us beware of impairing the virtue of the heart."

The socialists only pretended to understand this style of oratory, and they said, in the classic language of a member of parliament, "Them's our sentiments," and they recognized him as their leader. But M. Lamartine, although generally considered only as the poet, and his sayings merely as ornamental, and without any other value, was gradually improving in oratory, when, in the winter of 1847, he produced his *Histoire des Girondins.*

Before he arrived at the political position defined in the *Girondins*, M. Lamartine had successively traversed the social party, that fools' paradise, which is always the sequence of revolutions, the royalist party, the liberal party; and now, when a new change was to be made, what resource was left? It may here be remarked, that men of great genius never content themselves either with the past or the present, or both. The greater the idea which they form of their own mission, the greater is their tendency to limit its operation to the time beyond that in which they have their own being. It seems to them, so much are they exalted above vulgar minds, that the future, dread oracle which we turn pale in interrogating, is their natural state of being, and that the most cruel humiliation that they can possibly suffer, would be to be useless to the persons they imagine around them. To be available in all new combinations; to be assured a place

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under all circumstances, is the object of these sublimated intellects. To be always in men's minds, never forgotten; to think and to govern still with the thoughts and the governments that exist no more; to give to no one either the right or the pretext to pronounce those terrible words, the eternal nightmare of celebrated men: "*He has played his part.* Behold the end to which he aspired, and for which he sacrificed all."

It was thus with M. Lamartine: after having been royalist, socialist, conservative and liberal, by turns, he seized on the History of the Revolution. With his eyes fixed on the future, and his finger pointing to the past, foreseeing the possibility of new commotions, he sought to be at the same time historian and prophet, and, like Prometheus, to knead, to mould and vivify the blood-sprinkled dust into the ideal model of a revolution. Thus, by subserviency, to identify himself by turns with all that occurred, and through prophecy, with all that might occur, seemed to be the double inspiration of the *Girondins.* In this point of view, it is easy to explain his re-production of the revolutionary genius from Voltaire, the intellectual projector, to Robespierre, the pitiless practitioner. When M. Lamartine says of Dumouriez:

"He had no political principles; the revolution was to him nothing more than a fine drama, which was to furnish a grand scene for his abilities, and a part for his genius"—

We recognize at once the involuntary assimilation and the disclosure of his own secret aspirations. Again he writes of Robespierre:

"He was of no party, but of all parties which in their turn served his ideal of the revolution. He placed this ideal as an end to reach in every revolutionary movement, and advanced towards it with those who sought to attain it; then this goal reached, he placed it still farther off, and again marched forward with other men."

He seems here to have betrayed his most intimate thought, and in the guise of Robespierre, he involuntarily describes himself, and reveals his own most cherished aspirations. Who would have supposed that the author of the *Harmonies*, the poet who hung over the cradle of a royal infant, and chanted piously of heavenly joys and princely hopes, would one day be recognized in a self-drawn portrait of Robespierre? If Robespierre, modeling himself upon Rousseau, became heartless, bloodthirsty and tyrannical, what may not Lamartine become, modeling himself upon Robespierre?

That example must, however, prove a consolation to those only endowed with common sense. The poor laborers, bent under burdens that they can scarcely raise, and are yet not able entirely to abandon; struggling incessantly against that torture of imperfect beings, the impotence to realize the sentiments borne within them, may complain of not being great enough to delight in their destiny, of not being small enough to be content in their obscurity. But if mediocrity has its disadvantages, it has also its indemnities. An humble individual, who held honestly the sentiments which M. Lamartine *professed* during his apprenticeship to the restoration, would, in speaking of Louis XVI., have bowed himself in spirit to a king, a martyr, and a saint, as described by our poet; that illustrious writer, however, changes the picture at will, extenuates the horror he formerly expressed for regicides, and talks of the *faults* of the king and the rights of his judges. The early readers of Lamartine would,

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in recalling the memory of Marie Antoinette, have wished each line of the page and each syllable of utterance to become a reparation, full of respectful love, and an energetic protestation against the monsters who calumniated and the assassins who murdered her. M. Lamartine has, however, become niggardly of his respect to her memory, grudges his allegiance, and outrages his former friends, by doubts, insinuations, and suppressions! As a royalist, M. Lamartine regarded d'Orleans as an impure prince, a parricide to his country, a traitor to his family, a shame to his party, a disgrace to his age, and as the vile instrument which the revolution accepted with contempt, and rejected with disgust! In the new shading which the poet gives to that picture, there are attempts to erase the ineffaceable infamy of his character, and to soften the disgusting prominence in infamy with which, over the heads of Domitian and Marat, Philippe Egalité stands out upon the page of history. For this purpose is falsified contemporaneous history, the judgment of a later age, and the great voice of the human race, which curses, in reverberating tones, the perjured, the apostate, and the parricide. The general character of these remarks will apply, not only to the three names enumerated, but to most of the others in the volume.

M. Lamartine following, apparently, no regular plan, did not produce, in the commencement of the work, one of those fecund ideas, or immutable principles, which, in the hands of a Bossuet, serve to group around one general axiom all the particular facts of the narration—to arrange under one eternal truth all the truths of history. His genius being improvisatory, is susceptible of the most diverse impressions. He is royalist at heart, conservative by party, and republican by accident. He wanders among the persons and events of that terrible epoch as a traveler, who takes no guide, in order to admire more freely; to seek out discoveries at pleasure, and to pause when it pleases himself. Hence the charming picturesqueness of the work; hence, also, its utter want of unity. Never, perhaps, was more clearly apparent the triumph of individual power, exalting itself above even the events, substituting for the truth its own ideal creations invented and modified to its own liking, to such a degree that a sort of antithesis establishes itself between the persons, as M. Lamartine describes them, and as he presents them through the inferences, logically drawn, from facts stated. Thus M. Lamartine draws an ideal portrait of Madame Roland, and then throws it in relief, by stating facts in relation to her vindictive plots against the court and the queen; the evil counsels she gave her husband, and the execrable infamy of the letter written confidentially to the king, solely to be kept as an instrument of accusation against him. The illustrious poet is continually apologizing in *words*, for the infamous *acts* which he relates, of all the characters he describes. Everywhere, accompanying or following a flattering portrait, of which the great poet has himself shaded the brilliant colors, appears an ignoble, dishonorable, or atrocious fact, which bespatters all the splendid tints and delicate outlines with blood or dirt. The most prompt refutation of Lamartine's judgments are his facts. He has sought to appeal from the instructions of history to the judgments of his genius; but, on the contrary, the instructions of history destroy the judgments of his genius.

M. Lamartine, to whom his first renown did not suffice, sought, in changing his position, to change his attributes. He who was willing to become serious when no longer young; who had transformed himself from a poet

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into an orator, from an orator into a historian, and who sought to make the "History of the Girondins" the programme of his new life, of his second political virility, owed to his subject more gravity, more logic, and more equity. A young enthusiast of the glories of 1793 remarked, one day, to M. Michaud—"Robespierre is not yet judged." "No! but, happily, he is executed," was the prompt reply. That lively repartee is at the same time a response to those tender-hearted royalists who, like M. Lamartine, have suddenly discovered the benevolence of Robespierre's character, and represent him as one of the benefactors of mankind. The man, whose death saved so many better lives, who ceased to kill only in dying himself, whose bloody acts retarded popular progress half a century, does not require to have the process of his condemnation revised. It is this peculiar view of the character of Robespierre, which affords the key to the paradoxes presented in these volumes, and lessens their value without diminishing their attraction.

One of the passionate admirers of Lamartine, and a critic of ability, has asserted, and with some reason, that his work is more of an epic poem than a history; and he has added with a shade of exaggeration which enthusiasm may excuse, "That the French revolution has henceforth its Homer." There is indeed a point of resemblance between Homer and the historian of the Girondins; and it is, thanks to the oversight of the singer of the Iliad, or perhaps rather to subsequent interpolations, that there have glided into the immortal poem numerous contradictions. Thus, as has been well remarked, there are heroes who re-appear in the last cantos after having been killed in the previous ones; and events which occupy an important place at the commencement of the narrative, are utterly lost sight of in its progress. There are certainly parallels in the "Girondins." not that any of the persons killed in the first chapters, re-appear in the last—the revolution did its work too surely for that. The difficulty is less with the facts than with the deductions and judgments which conflict with and falsify each other. A modern rhapsody sung in admirable language might more justly describe that Iliad of brute force—that Odyssey of human reason.

Those contradictions and false deductions which disfigure the book, considered as a history, are perhaps intended to diminish the force of its democratic tendencies. It would seem to be the case that M. Lamartine at heart continued a royalist, and in wishing to preserve the integrity of a judge between parties, was betrayed into lenity where he should have been severe, and into injustice where he ought to have been considerate. But between his lenities and his severities, there betrays itself a permanent dislike to popular progress. He, in every case where dishonor and crime marked the course of the popular leaders, leaves the inference that dishonor and crime are the necessary consequence of republican movements. His work, therefore, holds that middle course which, while it excites admiration, still leaves a profound doubt upon the public mind, like "the Prince" of Machiavelli, as to whether the writer is a democrat describing the true policy of republicans, or a royalist seeking to bring them into disrepute. There are many who hold that Machiavelli was a republican, exposing in "the Prince" the necessary iniquity attending monarchies, and there are not a few of Lamartine's former co-absolutists who believe him to have served the principles he formerly professed by the publication of the "Girondins."

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Nevertheless, the book was extensively read, and exerted a great power on the eve of the final fall of the French throne. It more influenced the imagination than it affected the heart; it awakened the curiosity more than the sympathy. If in the minds of some of the royalist friends of the author it produced astonishment and sorrow, it also, by the *gout* with which it dwells on the crimes of the revolutionists, and the mere recounting of which, renders republicanism odious, disappointed democrats. The conservatives, on the other hand, regarded the work as the vehicle of immense danger, through the possible reproduction of scenes which had been in those brilliant pages rendered so attractive to unprincipled imitators. Apart from social or political predilections, the work, as a history, was not sufficiently impartial; as a work of thought, not serious enough; as an artistical production, not enough perfect. In this effort, as in every other of M. Lamartine, whether in the journal, in the romance, or in the eloquence of the tribune, improvisation predominates. In each page and each line is recounted a trait of genius thoroughly heartless, but yielding to the impulse of the moment.

The impression produced by the "Girondins" upon the public mind, went far, in connection with the strange circumstances of the revolution of February, 1848, to give M. Lamartine a prominent part in the provisional government. But a very short time sufficed, however, to show how out of place was a lute which responded only in musical strains to the harsh discords of political storm. When the people of Paris, without a government, and agitated by conflicting currents, seeking a direction to their energies, hoisted the "red flag," an opportunity for display presented itself to the poet statesman, who, unmindful that, in the "Girondins," which was the basis of his political reputation, and which was fresh in the minds of those whom he addressed, he had described the red flag as covering a prayer for mercy during the butcheries of the *Champ de Mars*, he now denounced it as having been "trained through torrents of the blood of the people." His resounding faculties were used by other members of the government as the shield for transactions which would scarcely bear the light, and the minister of foreign affairs soon found his level as the apologist for his colleagues, the actual government, and he has since continued to present new phases, all of them brilliant, like the kaleidescope, turned in the popular hand. One of the most recent emanations of this poetic genius is "Atheism among the People," wherein the former head of the socialist party and the materialist poet of 1834, thus warns his constituents:

"If you wish that this revolution should not have the same end, beware of abject materialism, degrading sensualism, gross socialism of besotted communism; of all these doctrines of flesh, and blood, of meat and drink, of hunger and thirst, of wages of traffic, which these corruptors of the soul of the people preach to you, exclusively, as the sole thought, the sole hope, as the only duty, and the only end of man! They will soon make you slaves of ease, serfs of your desires."

This may be the experience of the socialist leader, and one known as the most indolent, voluptuous, corrupt and heartless man of the world that even Paris could produce. This gifted genius is now flitting round the government of France, shirking responsibility, dodging votes, but resounding harmoniously as the political zephyrs sweep on the lyre.

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POLITICAL PORTRAITS WITH PEN AND PENCIL.

HON. EDWARD S. DARGAN,

CHIEF JUSTICE OF THE SUPREME COURT OF ALABAMA.

THE subject of this sketch was born in the State of North Carolina—a state which has generally produced sound and sensible men, having given birth to but few of those men who of late years have been somewhat "prevalent" in the South—who are more distinguished for gasconade and bravado than for thoughts and deeds.

Mr. Dargan is eminently a self-made man. In his early youth he came to Alabama, and tried his hand at that profession which is generally in this country made the first stepping-stone of those aspiring young men who have more brains than money—teaching; but having ascertained by experience that this was not his vocation, he put out his shingle as a lawyer, supporting himself by dealing out small doses of justice to the neighborhood in the character of justice of the peace, while waiting for the good time to come. We'll venture to assert, that while in that capacity he bore but little resemblance to

> "the justice,
> In fair round belly with good capon lin'd,
> With eyes severe and beard of *formal* cut."

His practice in a short time increased to such an extent that he removed to Montgomery, then a flourishing town, and affording an ampler field of practice.

He was formerly a candidate for the legislature in Montgomery county, a strong whig county, and was of course defeated. At the next session of the Legislature he was elected Judge of the Sixth Judicial Circuit. From this time the tide of prosperity began to flow in his favor. He discharged the duties of judge of the circuit in a manner acceptable to all, and left an impression by the gentlemanly demeanor and legal knowledge which he exhibited on the bench, which told greatly in his favor after he resumed the practice of his profession. He resigned the judgeship after having held the office but little over a year, and resumed the practice of his profession in Mobile.

This was shortly after the failure of the United States Bank. Judge Dargan was employed by parties against the bank, and succeeded by his professional knowledge and skill in defeating some of the heaviest of the fraudulent and usurious claims of the bank. About this time Mr. Dargan was employed, among other professional engagements, to defend the estate of one of our most worthy citizens—an estate valued at the time at a half million of dollars—against a claim hatched up by some designing men, which at the time attracted a good deal of notice. We mean the claim of Favres' Indian heirs. Mr. Dargan succeeded in defeating the suit in the United States Circuit Court. The case was taken to the Supreme Court of the United States, but was afterwards compromised by a small sacrifice on the part of the owner of the property. Not even the shells of the oyster were thrown to the Indian heirs. The managers of

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the affair pocketed the proceeds—with a "moral courage," for which the arch manager is proverbial. Mr. Dargan was afterwards employed by the United States Bank in their suit against the estate of Henry Hitchcock, for some eight hundred thousand dollars. The rights of the bank were established.

In 1844 Mr. Dargan was nominated by the Democratic Party as candidate for senator from Mobile county, in the state senate, and notwithstanding a majority of the voters in Mobile county are whigs, Mr. Dargan was triumphantly elected. During the one session that he served as senator, his course was distinguished by efforts to wind up the state bank.

At the next election in the Mobile district for Congress, and before his term as senator had expired, Mr. Dargan was nominated as the democratic candidate for Congress. This nomination was given him by the county against the first impression of the delegates from the city of Mobile, who were under the impression that Mr. Dargan would not accept the nomination.

Mr. Dargan was elected to Congress by nearly three hundred majority, in a district strongly whig, which a long time previously and since, has elected whig representatives by an average majority of five hundred. There was a new issue introduced into this canvass, which was the principal topic discussed; the admission of Texas to the Union. Mr. Dargan took strong ground in favor of the admission of Texas to the Union, and advocated it with a power which carried conviction to his hearers. The welfare of the South required an extension of her territory, not only to keep up the equilibrium in the Federal Councils, but to prevent the crowding together of our servile population, which history shows in all countries and all ages, like all elements of power, to be dangerous when compressed into too small a space.

In 1847, Mr. Dargan declined to be a candidate for re-election to Congress, and in a farewell speech to his constituents, he opposed the annexation of conquered territory from Mexico, on the ground that it would endanger the perpetuity of the Union, and encourage a grasping spirit incompatible with the welfare of republics. Even then he could see the shadows of coming events.

At the next session of the Legislature in December, 1847, Mr. Dargan was *unanimously*, and *without opposition*, elected Judge of the Supreme Court of Alabama, and became Chief Justice of the state upon the nomination of Judge Collier, in July, 1849, as a candidate for governor.

Of course, it is out of our power, in a sketch like this, to speak of more than one or two of the principal events in the life of a man, who, like Judge Dargan, has received from his country such varied honors. The short time that he served his country in Congress, has left an impression which cannot be effaced. Since he left the house he has been quoted upon the floor of Congress as the exponent of Southern democracy. Let us give honor to whom honor is due. In February, 1846, Mr. Dargan made a speech upon the Oregon question, in the House of Representatives, which, in its printed form, is contained in three pamphlet pages. He was always concise. This speech received marked attention both in this country and abroad. Its effects upon the settlement of the controversy can be best seen by quotations from some of the foreign reviews.

The London Quarterly Review, which is thought to speak by authority, in the March number, 1846, after commenting upon the remark of Cole-

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ridge, "the possible destiny of the United States of America, as a nation of a hundred million of freemen, stretching from the Atlantic to the Pacific, living under the laws of Alfred, and speaking the language of Shakspeare and Milton, is an august conception," and after expressing an earnest desire for a solution of the difficulty consistent with the original claims, and consequently with the interest and honor of both parties, proceeds to say:

"By a singular coincidence, and one we hope of happy omen, after we had written the greater part of this article, and in this place explained our proposition, we received. (28th of February,) through the American journals, the account of a motion proposed in Congress by Mr. Dargan, of Alabama, which so nearly approaches to what we had proposed, that we gladly adopt it as expressing with a more weighty authority our own preconceived opinions.

"The differences existing between the government of the United States and the government of Great Britain, in relation to the Oregon treaty, are still the subject of honorable negotiation and compromise, and should be so adjusted,

"That the line separating the British provinces of Canada from the United States, should be extended due west to the coast south of Frazer's River, and thence through the centre of the Straits of Fuca, to the Pacific Ocean, giving to the United States that portion of the territory south, and to the government of Great Britain that portion of the territory north of said line.

"This proposition narrows the question to its true issue; and on it, or something like the case, as we shall show, must be ultimately, and may be honorably decided. *All that has hitherto passed is really, and for any practical purpose, obsolete, and the whole Oregoniad is in this nutshell.*"

The reviewer then proceeds to investigate the title of the United States to the territory of Oregon under three heads.

1. The rights of Spain acquired to the United States by the Florida treaty.

2. The right of France acquired by the purchase of Louisiana.

3. The right of the United States themselves by the discovery and settlement of the Columbia River.

And proceeds to show (though before and afterwards expressing a willingness to meet Mr. Dargan's proposition, and make that the basis of a treaty) that if Messrs. Lewis and Clark, the well known explorers appointed by Mr. Jefferson, "had been authorized to take possession of all they saw, and had done so, they would not have touched our (the British) original claim to the whole right bank, and still less Mr. Dargan's proposition; for so far from reaching 49°, the most northern point reached by the travelers was 41° 48," which position cannot be denied.

The reviewer then proceeds to make a statement which, when we reflect that the London Quarterly was considered the organ of the government, shows conclusively that Mr. Dargan struck out the only course by which the contest could be settled peaceably and honorably to both governments—that to him belongs of right the credit of having settled an impending controversy between these two great governments, which, if not prevented, would have brought upon both nations all the horrors and ravages of war.

"There have been heretofore occasions not a few on which we have been able to advise our readers upon authority higher than that of mere literary

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fraternity; but it is needless to disclaim any ministerial influence or responsibility for our present opinions, and we therefore with less reserve venture to express our hope, that our government may have proposed something equivalent to Mr. Dargan's scheme as the basis of an arrangement of the whole difficulty, rational and equitable in itself, and which being a new expedient, consistent at once with principles which Great Britain can never abandon, and with offers which the United States have repeatedly made, may be adopted by both parties with, we believe, mutual advantage, and obviously without the slightest sacrifice of national honor."

"Mr. Dargan's scheme" was adopted, and is now an existing treaty, ratified by the United States on the 18th June, 1846, binding the two governments in closest bonds of amity, as two great nations of the same blood and the same language, with the same principles of freedom, and the same mighty power over the world should be bound.

Perhaps if Mr. D. had been in parliamentary life for forty years, and had been backed by manufacturing interest and bank power, he might have deserved the title of the "great pacificator," which has been awarded for less services.

The reviewer concludes: "The proposition of Mr. Dargan, or some slight modification of it, (we ourselves should not be disinclined to see it literally adopted,) appears in our view of the tempers and prospects of the two nations, the *only one* that can avert a war, which, to use a phrase of the distinguished American senator, would be 'on the part of those who provoked it, almost impious.'"

But let us return to the Oregon settlement, the credit of which, we have already shown, belongs to Mr. Dargan.

The Westminster Review, the peculiar tenets of which are well known, takes a different view of Mr. Dargan's proposition, and seems to conclude that Mr. D. was playing a game of diplomacy to outwit John Bull, and in advance admits that his proposition, which was finally adopted as the treaty between the two governments, led to a very advantageous arrangement for the United States. It says, (Art. 6, June number, 1846, Westminster Review,) "If the proposal of Mr. Dargan, of Alabama, is thought to be worthy of consideration, namely, that the line of 49 degrees should be extended from Canada to Frazer's River, and thence through the Straits of Fuca to the sea—'it should be remembered that Capt. Wilkes reports that there is no part of the coast where a settlement could be formed between Frazer's River, 49 deg. north, and the northern boundary of 54° 40 min. that would be able to supply its own wants.' The liberality, therefore, of this proposal, is evident."

Whatever may be said of the liberality of Mr. D.'s proposal, and without attempting to investigate the question, whether the territory yielded up by the United States was of any value or not, it must be admitted that Mr. Dargan's scheme led to a most advantageous treaty for the United States; that in adopting that scheme as the basis of the treaty, Britain accepted and offered a proposition, which she had before at divers times rejected when offered by the United States.

It is not our intention to comment upon the arguments used by Mr. D. in his speech; the result has already been shown. It is enough to remark, that his argument has never been answered, and is unanswerable, and has been approved and confirmed by the action of both governments. Yet, this speech occupies but three pamphlet pages. The absence of all the

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catch-trap of ordinary politicians is a remarkable characteristic of the speech. The quietness of the calm, strong man, confident of his strength, confident of his position, of itself causes his fellows to place trust in him.

Judge Dargan, while in Congress, made a speech upon the Mexican war, and matters therewith connected, which sustained his justly earned reputation, but which we have not space here to comment upon. He expressed the same views that he afterwards expressed to his constituents, when giving an account of his stewardship.

It is needless to say that Judge Dargan's course as chief justice has met with general, we might say, with universal approbation, if it were not for the envious detractions of those who once had the presumption to think themselves his rivals. The following passage is quoted from one of his opinions upon a well settled point, simply as a contrast to the decisions of the preceding court, "*All the authorities agree* that a deed procured or obtained with a view or intent to delay, hinder, or defraud creditors, is absolutely void against those who are intended to be injured by it; that the deed purports to be made by a sheriff in pursuance of a sale under execution, cannot impart to it vitality, or enable the fraudulent grantee to consummate his illegal purpose. Whether the deed be direct from the fraudulent grantor to the fraudulent grantee, or whether it be procured by means of a sale under execution, when once the fraud is established, it is null and void, and can form no impediment to creditors in subjecting the law to the payment of their debts." Forest v. Lyon and Camp, June term, 1849. Compare this with the following, pronounced by the preceding court, in June, 1841, Costello et al. v. Thompson, 9 Ala. Rep.: "We are aware that cases may be found, in which it has been held that the improper conduct of the purchaser at the sale of property under execution, amounting to fraud, vacates the sale, and that the title does not pass by the sheriff's deed; such are the cases of Smith v. Greenlee, 2 Den. 126, and Swaze v. Burke, 12 Peters, 11. But we are constrained to adhere to our own adjudications until, upon established principles of law, they can be shown to be erroneous. Under our complex system of jurisprudence, it is not to be wondered at that discordant decisions should be made; and whilst we cheerfully admit the high character of tribunals which hold a different opinion, we think in this particular the law has been misapprehended." Decisions showing the character and justly deserved reputation of Mr. Dargan as a judge might be quoted to any extent; but as during the short time that he has been chief justice, no constitutional questions have arisen, and as this is not a proper place to comment upon legal questions, we will only remark, that as a judge he has won the esteem and confidence of the profession and of the community, and given to the reports of the state character and weight.

In conclusion we have only to say, that Judge Dargan has ever been a warm and earnest friend of his native South; that he supported the Nashville Convention, not as a disunion proceeding, but simply as an assembly of the people by their delegates under the rights and privileges guaranteed to them by the Constitution, to consult upon the proper measures to adopt in a time of danger, to ward off threatened injury, and to preserve the Union inviolate, by preventing designing men from cutting the strongest bonds of the Union, and from nullifying the solemn compact under which the rights of all are guaranteed.

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VERMONT "DEMOCRATIC" STATE CONVENTION.

SPEECH OF MR. VAN BUREN.

We had supposed the Buffalo platform demolished—the Buffalo organization defunct and buried—the Buffalo creed turned over to the abolitionists proper, and the Democratic Party finally cut loose from those restless disorganizers and factious demagogues, who have sought to revenge the supposed wrongs of ex-President Van Buren on the national democracy. But it appears that the snake, though scotched, has not been killed; the Democratic Party has not been thoroughly purged of abolitionism and abolitionists; free-soilism has again "burst its cerements," and the sepulchre, wherein we saw it at Syracuse

> "Quietly inurned,
> Has ope'd its ponderous and marble jaws
> To cast it up again!"

Our attention has been lately directed to a speech, delivered at Burlington, by Mr. John Van Buren, to the so called Democratic State Convention of Vermont, and "Reported expressly for the Evening Post." From the wise precaution thus taken by the orator, or his friends, in having the Post's reporter on the ground, (Mr. V. B. says, in his speech, that "until yesterday afternoon," he feared other engagements would have prevented his attendance, and the vigilant Post stenographer must have followed him that day in New-York like his shadow,) we take it for granted that the speech was made for the meridian of New-York, rather than that of Vermont, and Mr. Van Buren would, of course, consider himself treated with discourtesy should we fail to pay it our compliments.

The fact that he speaks, *ex cathedra*, as the oracle and representative of the Van Buren interest in this state—the disingenuous assumption, on his part, that the sentiments he utters are the sentiments of the "united democracy" of New-York; and the consideration that these sentiments were uttered amid "cheers and laughter," to a State Convention in Vermont, pretending to be democratic, and its being reported at length, "expressly for the Post," are our apologies to our readers for a few running commentaries on certain portions of a speech, which otherwise would have been dismissed with a paragraph. As to what sort of democrats composed this convention, we leave the speaker himself to describe:

> "And now, democrats of Vermont, a word or two in regard to the election that is approaching, and when I say democrats of Vermont, nobody, I trust, will understand me as referring to that small band of men who denominate themselves the Old Line democracy—a corps who, at the suggestion of whigs, draw off from the democratic column into a field by themselves, and expect to be paid a certain sum per head to return to the ranks. (Cheers and laughter.) I speak of the democracy whose convention assembled here to-day."

The "old line democracy," it appears, were not there. It was the new light, higher-law, abolition "democracy," who assembled to listen to the teachings of the speaker on "human freedom;" and received them amid "laughter and cheers." Elsewhere he remarks:

> "My hopes rest on the Democratic Party. I look forward anxiously to their restoration to power in the nation. There are reasons personal to myself why I should do so. I owe to them obligations which the services of my life could but poorly requite. *One who stands to me in a near relation, has enjoyed their favor for nearly half a century.*"

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John is certainly ingenuous in part of this confession. This is unusually frank and open. We can very readily appreciate the "reasons personal to myself," why he desires the restoration of the Democratic Party (not the "old line") to power. It strikes us, however, that such services as his, will render it necessary to have his life spun out beyond the years of Methuselah, in order to requite the "obligations" he owes to that party. The "old line" democracy, whom John now abuses, conferred part of these obligations, (the "hereditary" part,) and sustained, as he says, for nearly half a century, "one who stands in a near relation" to him. Let us see how John and the "near relation" and friends requited this obligation. Speaking of the Presidential election of 1848, he says:

"Important, as we all deemed it, to defeat Gen. Taylor, *the defeat of his chief competitor was even more important.* This result, also, may be added to the other consequences, over which the friends of freedom have a right to rejoice."

Pluming himself upon this achievement—an achievement effected—to use his own words, applied to the "old line" democracy—by "a corps who, at the suggestion of whigs, drew off from the democratic column into a field by themselves"—John now sings *Io triumphe!* and tells his "friends of freedom" in Vermont, that they have a right to rejoice! Happy, complacent, and logical conclusion!

With the "old line" democracy, or, as Mr. Van Buren invidiously styles them in his speech, the "Union Hunkers," he will have no fellowship; and the "Union Hunkers," throughout the length and breadth of the country, will, doubtless, feel exceedingly chagrined and mortified by the information. Indeed, he prefers Mr. SEWARD to Mr. DICKINSON, as for example:

"We have lost, it is true, a democratic senator in place of Mr. Dickinson, whose term expired, and who declined a re-nomination; perhaps there may be no harm in my saying, that it does not add to the poignancy of our sorrow, that Mr. Dickinson should have been the senator whose term expired. (Laughter.)

But alas! MR. SEWARD himself does not come up to John's idea of a model "free-soiler." *His* course on the slavery question is entirely too moderate and temporizing. He has become "unsound," and would never do to run for Vice-President with the "near relation," on a future Buffalo ticket. We again quote from the text:

"And on what supporter of the present national administration, can the opponents of slavery extension rely? Is it Mr. Seward, of our state? The state of New-York, ever since the question first arose, has spoken in tones of the most indignant remonstrance against the aggressions of the slave power. Why is she now dumb? A bill, introduced by Mr. Coffin, intended to protect the free inhabitants of New-York against the abuses of the Fugitive Slave Law, a wise, just, constitutional bill, has lain upon the table of the House since the first week of the session. Why does it not become a law? The legislature of that state, in both branches, is controlled by the supporters of Mr. Seward. A word from him would reverse the retreating movement, which now dishonors her. Why is it not spoken? Why does he not denounce the action of the President on this subject? Why do the presses friendly to him teem with eulogiums upon the Secretary of State? Why does he sit silently in his seat an entire session of Congress, without a movement to denounce or repeal the atrocious Fugitive Slave act?"

Echo answers, why?—we certainly cannot tell, and the partisans of Mr. Seward must solve the question. He is likely, it seems, to be outstripped in the race of abolitionism. The Samson, sleeping in the lap of Delilah, Mr. V. B. looks down with contempt at his puny efforts against "human slavery." The senator is but the lisping infant of free soil,

"Muling and puking in his nurse's arms—"

No, not in his nurse's arms, but at the maternal breast—where he lies quietly, to

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use John's own choice simile, "silently sucking the patronage of the government," and fearing "the bosom will be withdrawn," while John himself has got one or two ages beyond, and has become the lover, "sighing like furnace," and gently wooing the dark-browed, and not very coy maiden, abolitionism.

It is no longer *Ego et meus rex—I* and Billy Seward. The "higher law" doctrine is but milk for babes, and is spurned by the stomach that can digest strong meat and strong drink. The senator is weighed in the balance and found wanting, because he sits still an entire session, and makes no movement to "repeal the atrocious fugitive slave act."

> "Hope, for a season, bade the world farewell,
> And freedom shrieked when William Seward fell!"

But hope has revived again in another champion, and freedom's tears have turned to smiles. As to the ugly question propounded to Mr. Seward's friends, Mr. Van Buren observes:

> "These are questions that should be answered by those who look to him as the champion of human freedom."

In other words, Mr. Seward is no longer to be regarded as the Ajax Telemon of *Constitutional* abolitionism. "Gentlemen of the Vermont democracy," we think we hear the speaker adding, with characteristic modesty, "behold in me *the* champion of human freedom!" Two suns cannot exist in one system, nor can two Cæsars live in one Rome. That Mr. Van Buren's zeal in the cause really does glow with a fiercer flame than that of the senator, is apparent from his own language, for he elsewhere says:

> "Within the limits of the constitution, hostility to human slavery is the predominant sentiment of my heart. It is as natural to me as the air I breathe, and will perish only with my life. (Tremendous cheering.)"

Now we will venture to affirm, positively, that Mr. Seward does entertain, in his heart, several sentiments, which predominate over the sentiment of "hostility to slavery." The sun of Seward is certainly eclipsed.

We had supposed that when Senator Seward propounded his "higher law" doctrine, on the floor of the senate, he had reached a climax which it was difficult for any one professing loyalty to our institutions, to surpass. The stake thrown down on the political table was a large one, but John "raises" him. We do not know whether the senator has the pluck to "go him back." Although it may be observed, that Mr. Seward undoubtedly has "the age," inasmuch as he was a decided "champion of human freedom," when John was laboring to elect "one who stands in a near relation" to him, on the Baltimore Resolutions of 1840, at which time, on his own construction, hostility to human slavery was not *the* predominant sentiment of his heart. As both these gentlemen, however, are somewhat rash and ambitious players at the political board, we leave them to make their own ventures. and take their own chances. Time will determine which one of them shuffled his cards the best.

But, badinage aside, Mr. Senator Seward's doctrine of the "higher law than the Constitution," atrocious as it is, was but the expression of a speculative opinion, the enunciation of a theory. Mr. Van Buren goes beyond it, and directly counsels and advises *resistance*—open resistance, and by force, to the law. Speaking of what he said on a former occasion, he reiterates, after mature deliberation, the proposition:

> "And added, that as the law was unconstitutional, I should resist it with all the means I could command, if seized under it."

If seized under it, Mr. Van Buren would resist. Why? Because, he says, the law is unconstitutional. But this is a mere evasion. Suppose he admitted the law to be constitutional, does he mean to say, in that case, he

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would not resist, *if seized under it?* Is it only upon the ground of the unconstitutionality of the law that he would resist, or does he not, in reality, place his resistance upon the assumption that the law is what he calls "an atrocious law?" And therefore, not only he, but all others, a mob as well as an individual—"friends of freedom," white and black, may set the public authorities at defiance, and resist with all the means they can command?" A more direct appeal to the worst passions of ignorant or wicked men, a more reckless incentive to mob outrage and violence, has rarely been made by any one who professes to regard and respect our constitutional compact. That the inference we have drawn from this language is true, who can doubt? Indeed, he reiterates and attempts to fortify his position:

"All writers upon law agree, that an unconstitutional act is no law; it is a nullity, and is to be treated as such, alike by citizens as by courts. But it is said that an individual has no right to judge whether a law is constitutional or not. This I deny. He should and must judge. He judges at his risk, to be punished, if he errs."

Therefore, mob outrage, violence, and even bloodshed, are not only to be justified, but even cheered and applauded, because this law is pronounced by Mr. Van Buren and the abolitionists, to be unconstitutional, in opposition to the expressed opinions of some of the ablest jurists on the bench of the federal courts; and mobs of blacks, and other "friends of freedom," are to be encouraged—and even, we presume, to have arms put in their hands; for they are "to resist by all the means they can command"—urged on to trample down the authorities of the law, and to rescue fugitive slaves, even over the dead bodies of their owners! These doctrines are monstrous, and appalling; but we are happy to say, we do not believe they are tolerated among any considerable portion of the people of the North. It is only the fanatics, the demagogues and the agitators, who dare publicly to avow them.

We dismiss the subject with a single other quotation from this harangue, which clearly defines the aims, the objects, and the hopes, of these disorganizers, and proves, if any proof is needed, that they have nothing in common with the Democratic Party.

"Having thus considered the present aspects of the slavery question, let us briefly consult as to the present duties of the friends of freedom. In my judgment, they ought to unite in uncompromising hostility to the present national administration."

Here we have it. The "friends of freedom," the abolitionists, the free-soilers, the Buffalo-platform men, the Seward Whigs, (without Mr. Seward, whom John thinks a supernumerary,) "ought to unite," and form a great northern, or abolitionist party. The uncompromising hostility is not so much to the "present national administration," as to the position which the present national administration is supposed to occupy on the compromise measures!

That the anti-slavery "union," of which Mr. John Van Buren speaks, is to be composed of the elements above mentioned—the abolitionists, the "higher law" disciples of Seward, and the "friends of freedom" whom John can persuade to follow him from the democratic ranks—"black spirits and white, blue spirits and gray"—is plainly evident from his own language. *The Democratic Party with us*, he says, *have already united*—and, of course, there is no necessity of any further "union" among them. The first fruits of this union, we are further told, is the election of seventeen democratic members to Congress—and, "whilst I have no authority to speak their sentiments on any subject, (unquestionably true,) yet, I think, I may safely affirm that *sixteen of them would, to-morrow, vote for a repeal of the fugitive slave act!*"

Stand forth, Messrs. HART, MURRAY, SUTHERLAND, SEYMOUR, and such others, of the New-York delegation, as are known to have repudiated Mr. Van Buren's Buffalo platform, and say which of you are willing to submit to the imputation. We think we know the characters and opinions of some of these gentlemen, at least sufficiently well to inform Mr. V. B.'s "friends of freedom" in the

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Vermont Convention, that he was either grossly deceived himself, or was wilfully hoaxing them. Indeed, his assertion cannot be true, unless some one or more of his own free soil friends on the delegation, whose names we might mention, have wilfully belied, not only their professions before election, but their *written pledges*. No. The "first fruits of the union" are not the election of sixteen abolitionists to Congress. If it be, then we repudiate such an union, and, for one, we raise the cry of repeal!

But further criticism upon this incongruous harangue would be fruitless and an idle waste of words. In what we have said we have designed merely to show, (in certain quarters where, perhaps, an erroneous impression may have been produced,) that Mr. Van Buren speaks the sentiments of no portion, not even a fraction, of the Democratic Party; that the speech is but another of the author's vagaries, and that he alone is responsible for it.

Our object is thus accomplished. Our remarks are made in no feeling of unfriendliness to the speaker himself; we rather like John, and (not extravagantly) admire his speeches—or, rather, his *speech*; for we may remark of it, as the simple-minded layman did of the last and newest homily of his spiritual shepherd, "I always liked *that* sermon." He may, therefore, set us down certain as *not* one of the "three Union Hunkers," whom he thinks would kill him, if a law were passed authorizing such a summary proceeding. We would not kill him if we could, even with ink and types; for, were Thersites dead, who would so potently provoke the laughter (and cheers of the camp) or tickle the fancies of the "friends of human freedom?"

We have certainly no objection to Mr. Van Buren's making *that* speech "on his own hook," as Harry of the Wynde fought, wherever and whenever he may see fit so to do—and send as many Thersites-shafts at the Agamemnons and Achilles of both parties—Cass and Dickinson, and Marcy and Webster, as he pleases; but we do object to his speaking in the name of the New-York democracy, without having any "authority to speak their sentiments," and we wish to be distinctly understood as entering a protest thereto. We hereby duly advertise the public against him. We desire it, therefore, once for all to be understood, that when he goes abroad, itinerating through Vermont and elsewhere, he goes without any commission of ours in his pocket. Indeed, we are sorry to say, that when he represents himself as connected with the Democratic Party, he is trading on borrowed respectability. The ingenious rogue at Washington, who borrowed money by representing himself the near relation of Silas Wright, was, as a financier, what Mr. Van Buren is in a political way. We, of the "old line," feel mortified at the assumption, and scandalized that an individual of so equivocal a political character, should presume to claim even a distant relationship. It is all well enough at home, where we understand the joke, but we don't like the thing to go abroad among strangers. On this point we are sensitive, for we regard John, politically, as altogether a disreputable associate. He is, if you please, a poor relation, or every-day acquaintance, out of credit, out of pocket, and out at the elbows, who is constantly bringing his former associates into disgrace, by boasting among strangers of his intimacy with them, and their high respectability. Gentlemen of the Vermont Convention, he may be a distant connection—though *very* distant—*of* the Democratic Party, on which his "hopes rest," and for "reasons personal" to himself; but unless he patches up that old, threadbare political coat, and gives himself altogether a more decent exterior, and reforms some of his lately acquired bad habits, a decent regard to our own standing and character will render it necessary "to cut him," and assign him, without remorse, to the very bad associates whom he has, for the past few years, found to be such congenial company.

And now a word in conclusion. The sentiments advanced by Mr. Van Buren in this speech point directly to the subversion of the Constitution, and a violation of its compromises. If entertained by any controlling portion of the people of the free states the Union could not last for a day. With such sentiments the Democratic Party have no sympathy, and will hold no fellowship

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with those who utter them. The true democratic creed upon this subject has been emphatically expressed in the resolutions adopted by the late State Convention of the democracy of New-Hampshire, and to which we call Mr. Van Buren's attention, and the attention of all such as are striving to abolitionize the North:

"That the 'Democratic' Party is the party of the Union—that it will ever remain true to the Union, in whole and in part—that the recent 'adjustment' of the great question of the day is the best for the peace and honor of the country—that the Convention coincides with the sentiments of the Governor's Message respecting the 'Compromise measures'—that unconditional obedience to the law is the constitutional duty of every good citizen, and the cause of national distinction and prosperity."

This is the language of reason, of soberness, and of patriotism. It is directly the reverse of the doctrines of "resistance" and the "higher law," taught by Mr. Van Buren to the Vermont abolitionists—doctrines, which the Democratic Party, North and South, repudiate, and which it will ever continue, we trust, to abhor and detest.

SENATOR R. M. T. HUNTER, OF VA.

The recent slavery agitation, if it has been fraught with great evils, has not been without its advantages, inasmuch as that it has brought into prominent relief the great statesmen of the country as distinguished from the mere demagogues. It is the moment of national danger, when evils of great magnitude threaten the permanency of our institutions, jeopardize the very principle of self-government, and even threaten the liberties of the people, by precipitating that state of anarchy which gives the citizen and the Christian no choice but between military despotism on the one hand, and retrogression towards barbarism on the other, that "tries men's souls." In a season of quiet and peaceful progression, it is difficult to detect true merit amidst the clamorous profession of patriotism and piety which the demagogue finds a "good hand to win on," but which seeks only the aggrandizement of the individuals who would as readily cringe before the footstool of an autocrat as bow to the majesty of the people, when the latter cause offers least personal profit. The first French revolution affords the most marked examples of those who were ranked amongst the most radical democrats, but who became the most subservient tools of the great soldier whose empire they prepared by the anarchy they had helped to create. What more unscrupulous agent had the emperor than Fouché?—the old Jacobin, whose exertions in favor of the emancipation of the blacks of St. Domingo first gave him importance at the clubs. The zeal with which he prosecuted the awful massacre at Lyons, where he rioted in blood, gave him ascendancy with the party in power, which he betrayed when the occasion suited, only to become a spy in the service of the reactionary party, and ultimately the tool of Napoleon, whom he betrayed in his turn to Wellington. Alison describes this man thus:—

"An old member of the Jacobin club, and thoroughly acquainted with all their designs; steeped in the atrocities of Lyons; a regicide and an atheist; bound

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neither by affection nor principle to their cause, and *seeking only in the shipwreck of parties to make his own fortune*, he was eminently qualified to act as a spy upon his former friends. He perceived at this critical juncture that the ascendant of the revolutionists was on the wane, and having raised himself to eminence by their passions, he now resolved to attach himself to that conservative party who were striving to reconstruct the elements of society, and establish regular authority by their subversion."

The reader can readily put his finger on many men among us, to whom this description applies as accurately as to Fouché. If we substitute New England abolition societies for the Jacobin clubs, we see many men, now getting into notice, as *amis du noirs*, who, if disunion, civil war, bloodshed and anarchy are to afflict the Union, will run the same course as did Fouché, ending by betraying, for gold, some military despot, to whose power they will cringe, after having sold to him their country. It is a mistake to suppose that those horrors are of a past age, and cannot be renewed. No man who looks around him, and sees the bad passions which, by the malign agency of such men as Messrs. Seward and Van Buren, have been excited in men's minds, can doubt the possibility of strife; and, a blow once struck, will be the signal for a train of horrors, for which even the French Revolution can afford no parallel. Three millions of raging blacks, guided and officered by such monsters as now urge them to strife and supply them with arms, and lured by the wealth of northern cities, loom up in the horizon as a terrible tragedy, to which the experience of St. Domingo is but a prelude. The men who now agitate the North are those who coolly contemplate the probabilities of such a state of affairs, and of their position in relation to it. Whether our free Union sinks in anarchy and strife, amid the jeers of foreign despots, only to rise in blood-stained fragments under barbarous chiefs, whose occupation is war and whose will is law, or whether it retains its place among the nations of the earth, leading the march of popular progress, followed by all nations and species of men, is matter of indifference to the brawling demagogues, if they can have no share in the control of affairs. These men have betrayed their colors, but the agitation they have created has brought out the pure patriots and true statesmen. These, like Douglas at Chicago, Webster in Boston, Dickinson in New-York, Cass in Michigan, Buchanan in Pennsylvania, Foote in Mississippi, Cobb in Georgia, Downs and Soulé in Louisiana, and a host of other great men, rallied for the Union, and although, for the moment, they may be borne down by the storm which sweeps by, they have the benefit of the returning reason of the people, whose veneration, love, and respect will cling to them, as to the good and great, long after contempt for the foiled demagogues shall have subsided into forgetfulness. Senator Hunter, of Virginia, stands prominently among those gentlemen who have so nobly distinguished themselves for that nationality of character which comprehensively grasps the future and the present—which divests itself of local and sectional prejudices—sees, in a prosperous whole, the true welfare of all the parts—comprehends the position which the country holds among the nations of the earth—feels an American pride in the lead it assumes—and justly estimates the true means of enlarging and promoting its influence, with the view not only to the permanence of our institutions, but for the proportionate improvement of each section of the Union, and the advancement of every race of men within its expansive borders.

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It is, therefore, matter of congratulation, that a large body of our most patriotic citizens have sought to express the estimation in which they hold his services, as in the following correspondence:

City of New-York, 10th May, 1851.

Hon. R. M. T. Hunter,
Chairman Finance Committee,
Senate United States.

Dear Sir,—We, your fellow-citizens of New-York, feeling a lively sense of your active intelligence and unsectional spirit as Chairman of the Committee of Finance, and particularly as regards your liberal advocacy of the establishment of a branch mint in our city, so important to the financial and commercial interests of the country at large, trust that you will allow us to express our sentiments to you more freely in person, by uniting with us in a social dinner in our city, on the 26th June, or at such other time as you may prefer.

With a high appreciation of your abilities as a statesman, and your qualities as a man, we shall anxiously await your coming.

A C Kingsland
W F Havemeyer
Brown Bros. & Co.
Isaac Townsend
Howland & Aspinwall
J D P Ogden
T Tileston
Reuben Withers
Alex T Stewart & Co.
Boonen, Graves & Co.
Peter Cooper
Francis Griffin
Henry Nicoll
F S Lathrop
Moses Taylor
Alsop & Chauncey
Mortimer Livingston
James Brooks
Goodhue & Co.
E K Collins
C W Lawrence
Phelps, Dodge & Co.
August Belmont
Boorman, Johnston & Co.
W S Wetmore
Fred G Foster
Jno S Gilbert
Benj F Camp
M C Story
S L H Ward
Jonas F Conklin
Thos Jeremiah
F & D Fowler
F Morris
Jacob F Oakley
A Vanderpool
James Kelley
James D Bard
Daniel Dodge
Rob't T Hawes
J H Cook
Carpenter & Vermilyea
Geo W McLain
W Mead
Aymar & Co.
R C Wetmore & Co.
N L & Geo Griswold & Co.
J S Coddington
George Law
Jacob Little & Co.
E B Hart
George Briggs
Pells & Co.
C A Secor & Co.
R H Morris
Drew, Robinson & Co
Beebe & Co
P R Van Rensselaer
Hugh Maxwell
Charles G Carleton
Sam'l E Sprouls
Seaman & Peck
George Barclay
Henry Coit
R Suydam
A H Ward
Wm Smith & Son
J Phillips Phœnix
M O Roberts
Edwin Croswell
S Jaudon
Westervelt & Mackey
G A Conover
Jos Gutman
Oscar W Sturtevant
William Tilden
S D Dakin
W V Brady
Dennis Mullins
Jay Jervis
Ezra Smith
Jos Britton
Patrick Kelly
Jedediah Miller
W A Dooley
John Van Buren
Thos J Bayaud
Wm Brugiere
W B Maclay
D. Leavitt
G A Worth
Caleb O Halsted
B R Winthrop
Thos Addis Emmet
Jas Van Nostrand
J H Brower
Shepherd Knapp
C W A Rodgers
Andrew Mills
N C Ely
Amos F Hatfield
J Campbell Jr
T A Palmer
Horace Waldo
Joshua L Henry
Robert Kelly
Wadsworth & Sheldon
M Morgan
C L Coles
Thos C Fields
E M Brown
Smith & Dimond
Freeman Hitcox
Stillman, Allen & Co.
Isaac V Fowler
Ward & Co.
Daniel D Westervelt
J R Whiting
Joseph Cornell
Wesley Smith
J L Everitt
George Curtis
C P Van Ness
Edmund Driggs
Warren Chapman
Geo H Franklin
L S Jones & Co.
Henry Shaw
James Lee & Co.
Gilbert & Johnson
Therion, Maitlan & Co.
J Stanley Milford & Co.

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B H Lurdam
A W Craven
E Ludlow
John J Cisco
Sam'l De La Mater
Jno Falconer
Jno Greacen Jr
A J Bergen
Daniel E Sickles
T W Blatchford
Henry L Pierson
Richard Warren
W F Schmidt
Weeks, Kelly & Co.
Clark & Coleman
R Diedericks
J Henry Bates
J M McLean
Asa Eldridge
Edward Griffin
Isaac Randolph
Wright Hawkes
Edward Strahan
P V Duflow
Henry Stanton
Emanuel Burckley
D Moran
J T Vanderhoff
Rob't Bayard
Fred E Gilbert
Sam'l G Cornell & Co.
Schmidt & Balchen
Jos Greenleaf
Jas Monroe
Jno L O'Sullivan
Wm Judson
Rawdon, Wright, Hatch & Edson
W W Woodworth
C C Roumage
A L Montant
Chauncey D Hurd
Wm J Campbell
James E Kelly
E W Clark, Dodge & Co.

LOYDS, ESSEX Co., Va., May 28, 1851.

Gentlemen—I had the honor to receive by the last mail, a letter of invitation to a dinner tendered to me by yourselves and others, on the 26th of next June. No personal compliment could be more acceptable to me, than the honor you have offered me, upon such considerations as you were pleased to assign, in your letter of invitation. I should be especially gratified to believe that I had contributed, in any degree, to promote the great interests of the country, and I regret to be constrained to say, that the estimate you have placed upon my poor services is greater than they deserve.

If I supposed it to be necessary, in order to testify my grateful sense of your kindness, I would lay aside almost any occupation to meet you when you propose; but as I believe you will give me full credit for sincerity in my grateful acknowledgments, and as I have pressing engagements at home, I am constrained to beg most respectfully to be excused from attending the dinner to which you have invited me. I feel the more free to do this, because the loss will be mine, not yours. It would have given me the greatest pleasure to have availed myself of such an opportunity to extend my personal acquaintance in your city, and to study, from actual observation, the operation of the machinery of commerce in the great emporium of American trade. Whatever is connected with the marvels of your progress hitherto, and whatever concerns the future developement of your great commercial resources, are matters of deep interest to me. You do me no more than justice in attributing to me a desire to promote, as far as I can, the prosperity of all the great interests of the country. I believe if you touch one, you affect them all. and that all are concerned in the prosperity of each. Especially do I hold it to be a matter of duty, as it ought to be of pride with the American States, to afford New-York all proper facilities to win the place which she is probably destined to hold as the great centre of the commerce of the world. It is, perhaps, not extravagant to say, that the tendencies of nations are changing, and their contests are destined hereafter to consist more in the rivalries of the arts, than in opposition of arms. Certainly there has been no period in human history, when commercial affairs occupied so large a portion of the attention of mankind, and none in which commercial men played so important and prominent a part. Great Britain, with that shrewdness of interest which characterizes her conduct towards other nations, seems to have given early evidence of her sense of the change which was taking place in the Theatre of human rivalry and strife. She is preparing, if not already prepared, for the conflict. She has thrown down the glove in open and manly defiance to the rest of the world, and challenged the nations of the earth to a contest for the empire of trade, and the supremacy of the seas. To all appearance, never were fairer terms of combat proposed; she has laid aside the whole panoply of her defensive armor, and stripped her productive interests of everything which they have hitherto worn, by way of defence or protection. She has provided her manufacturer with cheap material upon which to operate, and cheap food to consume; she has given her ship owner cheap timber with which to build; and in opposition even to some of the oldest usages of her colonial policy, has relieved the producer from the pressure of heavy taxation, whenever it was practicable to do so. She has shown, too, the utmost skill and anxiety in making the machinery of her commerce work smoothly and easily. If a screw was loose it has been adjusted; if a spring gave evidence of a loss of elasticity from undue pressure, the burthen, if possible, was diminished or removed; and, having done all this, she has thrown down the walls which were built to guard her commerce, and invited the

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rest of the world to participate in the struggle for its prize. The challenge which has thus been given will, as I trust, be accepted; and I suppose I may say, without having imputed to me an undue share of national vanity, that if any body is able to take up John Bull's glove, in such a contest as this, it is his Brother Jonathan. Nor do I disparage the just claim of other cities, when I say, that in this conflict we must look to New-York for the lead. She herself is already giving evidence that she accepts her destiny, and is preparing for the conflict. Her lines of magnificent steamers, if they do not girdle the earth, at least spangle the ocean in more directions than one; her commercial enterprise and ambition are world-wide in their extent. In such an undertaking as this, may all good omens attend, and all success reward her. In such a struggle, she has a right to expect the aid of every American legislator. She may justly demand all proper facilities for commerce, the whole machinery of trade, a mint within her limits, a warehousing system adjusted to her wants, and whatever legislation may be necessary to enable her to maintain a free commercial competition with the rest of the world. If human ambition should take this new direction, or rather take this old direction, with increased zeal, the world may well rejoice, for these are contests in which mankind is benefited, no matter who may win. To us, such a rivalry may bring a double blessing, for its triumphs may not only give us rich rewards abroad, but lead to harmony at home. If American ambition and energy can find full occupation abroad, it may fairly be hoped that the fires of sectional strife will burn less fiercely at home. The development of moral and physical resources which such an occupation must give, and the progress of truth, would perhaps remove some of the old antagonisms, and discover new harmonies in our system. The very creation of such a commercial emporium as your city must then become, would be eminently conservative of peace abroad, and harmony at home; for all its vast interests would be staked to some extent on the peace of the world, and wholly upon concord at home. With these views, gentlemen, you may well suppose, that I feel a deep interest in the prosperity of your city, and an earnest desire to promote its growth as far as I can. To understand the wants of your commerce, I hold to be one of the proper cares of the American statesman; for around that centre revolve to a great extent the commercial interests of our Union. But my letter has grown with the theme, until I have become tedious, and I conclude with assurances of my high respect and profound gratitude to those who have honored me with so public a mark of their approbation.

Very Respectfully,

Your obedient servant,

R. M. T. HUNTER.

To Messrs. A. C. Kingsland,
W. F. Havemeyer,
Brown Brothers & Co.,
Isaac Townsend,
Howland & Aspinwall,
J. D. P. Ogden,
T. Tileston,
Reuben Withers,
A. T. Stewart & Co.,
Boonen, Graves & Co.,
Peter Cooper,
Francis Griffin,
Henry Nicoll,
F. S. Lathrop,
Moses Taylor,
Alsop & Chauncey,
Mortimer Livingston,
James Brooks,
Goodhue & Co.,
C. W. Lawrence,

To Messrs. Phelps, Dodge & Co.,
August Belmont,
Boorman, Johnston & Co.,
W. S. Wetmore,
Aymar & Co.,
R. C. Wetmore & Co.,
N. L. & G. Griswold & Co.,
J. I. Coddington,
George Law,
Jacob Little & Co.,
E. B. Hart,
George Briggs,
Pells & Co.,
C. A. Secor & Co.,
R. H. Morris,
Drew, Robinson & Co.,
Behee & Co.,
P. R. Van Rensselaer,
E. K. Collins, and others.

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FINANCIAL AND COMMERCIAL REVIEW.

MONEY continues to be very abundant in New-York, as well as in most cities of the Atlantic, and is loaned freely at 4 a 5½ per cent. The amount of money in bank continues to accumulate, notwithstanding that circumstances continue to influence a large exportation of gold, which, however, flows back again from the ports of Europe into the pockets of immigrants. The exports of coin from this port from April 5th to June 21st inclusive, were as follows:

EXPORTS OF GOLD FROM THE PORT OF NEW-YORK, APRIL 5TH TO JUNE 21ST.

	Europe.	England.	West Indies.	Total.
United States gold	2,251,837	6,381,559	564,668	9,198,063
" " dust	1,986	7,000	—	8,986
" " silver	1,428,000	597,280	38,000	2,063,280
Mexican coin	229,195	350,000	43,450	622,645
Foreign silver	569,627	82,832	22,000	674,459
" gold	202,795	52,530	30,608	285,933
Doubloons	—	—	541,288	541,288
Total	$4,683,440	$7,471,201	$1,240,014	$13,394,679

The shipment of the new gold coins forms the most material feature, but the mint continues to supply considerable sums, as follows:

COINAGE AT NEW-ORLEANS AND PHILADELPHIA.

	April.		May.		
	New-Orleans.	Philadelphia.	New-Orleans.	Philadelphia.	Total.
20	105,000	2,354,830	995,000	1,734,940	5,189,820
10	261,000	211,790	135,000	266,950	878,740
5	20,000	—	—	215,000	235,000
2½	120,000	222,270	70,000	561,690	973,960
1	80,000	387,118	—	422,682	893,800
Gold	500,000	3,176,058	1,200,000	3,201,262	8,171,320
Silver	18,000	2,400	37,000	None.	57,400

The total coinage for the five months is $20,367,018, against $9,067,632 in the same months last year. But the New-Orleans mint continues to supply much larger sums. The arrivals of specie there are $7,321,000, against $3,131,000 same period last year, and the coinage has reached nearly $5,000,000.

It is necessarily the case, that as the channels of circulation have become filled with gold and silver coins, in addition to the large supplies of bank paper which are coming upon the market, the surplus coins will flow off to other countries, as cotton and tobacco, with other products, which are produced in excess of the home demand for consumption. This is the case with the precious metals to a greater degree than other products of industry, because, comparatively, they are not consumable. It is true, that the channels of circulation, by a proper exercise of the coining power, can be made to hold a much larger quantity when the pieces struck are adapted to the wants of business. To do this, however, mints at the proper places are requisite.

The extraordinary flow of the precious metals to Europe produced the

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following change in the quantities held by the banks of the three cities, reduced to dollars:

SPECIE IN BANK VAULTS IN NEW-YORK, PARIS, AND LONDON.

	New-York.	London.	Paris.	Total.
December 25, 1848	$7,920,230	$73,143,717	$46,588,339	$127,652,286
December 25, 1849	10,565,270	81,984,000	83,848,000	176,897,270
December 25, 1850	12,617,000	73,324,216	93,003,470	178,944,686
April 8, 1851	11,505,000	67,218,215	107,321,322	186,044,537
June 16, 1851	11,385,000	67,760,000	108,126,230	187,271,330

At the latest dates there were signs of a reflux of coin to England; a considerable remittance of gold had been received, and the coffers of the French bank, fortified against political casualties, began to overflow. It has drawn from the commerce of the world in three years sixty millions of dollars—more than California has supplied in that time—and it has got enough. The California supplies will continue, and the chances are, that gold will figure as high among the exports of domestic produce as cotton. It is to be remarked, that for the gold which leaves the country we get goods.

The coinage of gold at Philadelphia, with the arrivals at New-Orleans for this year, compare in the aggregate with the exports from New-York, thus:

	1850.	1851.	Increase.
Coined at Philadelphia	$9,067,682	$20,367,008	$11,309,376
Arrived at New-Orleans	3,134,062	7,275,919	4,141,857
Total	$12,201,694	$27,642,927	$15,451,233
Export from New-York	1,573,176	12,631,148	11,057,972

Thus, even the apparent supply exceeds the exports; but the quantity which comes back from Europe is equal fully to one-half the export. The arrival of immigrants at New-York from January to June, is a little more than 100,000, and specie-brokers estimate, that they bring on an average $150 per head, which would give fifteen millions of dollars. One-third that amount will be 50 per ct. of the exports. The demand for specie to go abroad arose from visits to the "World's Fair." Shipments to sell abroad at a premium to emigrants to this country, disturbed state of continental currencies by government action, and the discredit of cotton bills by reason of late failures—all these circumstances have aided to increase the demand for coins for remittance at a time when the importations have been large.

The imports at the port of New-York for the first five months of the present year, as compared with the aggregates of the same period last year, were as follows:

IMPORTS AT THE PORT OF NEW-YORK FOR FIVE MONTHS.

	Specie.	Free.	Dry Goods.	Dutiable.	Total.
January	188,694	937,650	8,707,883	5,024,841	17,359,108
February	164,031	1,208,036	8,110,140	1,331,867	19,864,075
March	270,505	982,530	5,171,304	5,479,838	11,904,177
April	521,665	555,386	3,671,348	4,874,836	9,623,235
May	111,443	785,326	2,135,097	6,807,614	9,839,480
Total, '51	$1,257,338	$4,458,928	$27,795,772	$23,518,996	$59,520,015
" '50	5,901,979	4,944,311	24,528,282	26,589 580	61,964,142
" '49	1,986,595	4,481,478	17,464,447	18,143,305	42,075,825

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The specie imports were in some degree mixed with the California receipts in 1849 and 1850, so that the figures do not represent the just movement of the foreign trade. The free goods have not varied materially from that of 1849, but are 10 per cent. less than last year, as are also all dutiable goods, with the exception of dry goods, which have been larger apparently; but owing to the fact, that in many cases they have been sold at a great sacrifice, it is probable that the losses on the goods consigned will reduce the aggregate sum to be paid abroad to an amount not higher than the import value of last year. Since the month of May the quantities of dry goods arriving has been less, as compared with last year, and the chances are, that the imports for the fall will be circumscribed. It is undoubtedly the case, that as far as these goods have been sold to the country the payments have been prompt, but at such rates as afford little encouragement for a continuance of the imports. It would seem to be the case in relation to Ohio particularly, that although the debts from that region have been pretty well paid up, it has been through the agency of bank loans, which are traveling to an inordinate extent. They are as follows, distinguishing the three kinds of banks:

OHIO BANK LOANS.

	Old Banks.	State.	Independent.	Loans.	Total Capital.
February, 1850	$3,796,454	$10,364,377	$2,145,038	$16 305,879	$7,272,840
August, "	3,556,602	9,885,881	2,157,557	15,600 040	7,425,171
November, "	3,829,112	10,881,433	2,349,048	17 059,593	7,489,009
May, 1851	4,449,521	11,994,120	2,710,724	19,154,366	7,628,626

The loans of these banks since August last have increased $3,500,000, while the capital has only increased at all, and the aggregate of loans is nearly three times the capital. The proportion of loans to capital in Indiana, Ohio, New-York and Massachusetts, is as follows:

	Ohio.	Indiana.	New-York.	Massachusetts.
Loans	$19,154,366	$4,124,886	$39,675,163	$27,954,063
Capital	7,628,626	2,032,050	16,999,727	16,064,050

The loans of the Ohio Banks are twice and a half the capital—a higher proportion than is reached in any other state—and this range of discounts are increasing, while the value of the produce of that region is low in this market, under extraordinary competition of that of other states. It would seem to be the case, that unless produce is sent forward to sell, less and adequate prices are not reached, that the drafts drawn against produce are met by accommodation discounts at the Ohio banks—a state of affairs which must speedily burst in ruins. The exports of produce from the United States at prices now ruling, will no doubt be very large. The export of flour from the United States to Great Britain has been over one million of barrels, against one-third that quantity in the same period last year; and now, when under the considerable supplies which pour down from the canals, prices have sunk below four dollars, with rising prices, and abundant steady freights, there remains no room to doubt of a very large export up to the new year; and while the supplies on the sea-board may be diminished by the small remuneration they receive, the stock here will be depleted by shipments; thus raising the price, by burning the candle at both ends.

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The exports of farm produce promise well for the coming year; and in order to form a guide to the prices in England, we have compiled a weekly table, from official sources, of the imports into Great Britain, and the average prices for three years, as follows:

IMPORTS AND PRICES OF WHEAT IN ENGLAND.

		Imports.		Average prices per quarter.		
	Week.	1850.	1851.	1849.	1850.	1851.
January	4	31,709	99,306	47*s.* 9*d.*	39*s.* 5*d.*	39*s.* 5*d.*
"	11	47,518	75,967	47 0	39 6	39 1
"	18	31,973	60,732	46 5	39 10	38 9
"	25	35,261	60,800	46 5	40 0	38 5
February	1	38,515	82,873	45 7	40 2	38 2
"	8	29,961	61,738	45 5	40 0	38 0
"	15	16,783	54,635	45 8	39 8	37 11
"	22	13,220	68,521	45 10	39 1	37 9
March	1	21,321	53,012	45 10	38 8	37 7
"	8	46 697	51,058	45 10	38 5	37 5
"	15	33,742	106,558	45 10	38 3	37 3
"	22	31,460	111,240	45 8	38 1	37 2
"	29	40,540	71,105	45 2	38 1	37 3
April	5	53,333	78,105	44 10	38 1	37 5
"	12	63,334	51,730	44 8	38 1	37 9
"	19	81,851	67,346	44 6	38 0	38 3
"	23	49,840	68,825	44 8	37 10	38 7
"	30	53,983	56,865	45 0	37 8	38 9
May	7	58,986	76,646	45 2	37 9	38 11
"	14	40,937	107,863	43 3	38 0	38 10
"	21	64,558	75,407	45 3	38 4	38 10
"	28	67,863	51,514	45 4	38 9	38 9
		953,434	1,591,876			

From January 18 to March 22, the averages fell from 38·9 to 37·2—that is to say, in nine weeks to 19d. per quarter; and they recovered that fall in the subsequent six weeks. At the close of April, after an importation of 1,280,446 qrs. against 721,090 qrs. in the same period of the previous year, the averages stood 11d. per quarter higher, and are in an ascending state. The importations of wheat into England arise from the great abundance in France, and the accounts now from that country are of great damage to the growing crop, and consequently of advancing prices. Although England has received large quantities from France, those from the United States also have been very large in the last few years—more particularly in the first quarter of the present; and this last period may very properly be regarded as not only the turning-point for agricultural prices in the west of Europe, but also of manufactured goods—resulting from the influence of the revolutions of 1848. In that year there was a universal disposition to get rid of goods, and to stop production. That was the first impulse of the pendulum, and in the following year great activity manifested the opposite oscillation. Continental goods had been pushed into every region of navigable seas at lower rates, and the stocks thus put off in a year of activity left a scarcity when political quiet allowed a renewal of the trade; and in 1849-'50, the production has been so great as to glut the markets of the world with both British and American goods, and none in a greater degree than the United

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States. The losses sustained have been very great; and once more diminished production marks the opposite oscillation. The surplus goods of Europe have been poured upon us, under a so-called low tariff, in unprecedented abundance; and the re-action has taken place without having in any degree produced financial distress. The steady currency of the country under the admirable independent treasury system has carried it safely through the dangerous crisis consequent upon the over-production of goods attending the re-action from the European revolutions, and our market for the export of breadstuffs has been maintained in the face of the low prices consequent upon the re-action of the famine prices. The exports of breadstuffs from the United States to Great Britain have been from September 1 to June 18—in four years—as follow:

	Corn, bush.	Meal, bbls.	Wheat, bush.	Flour, bbls.
1848	2,056,053	83,471	215.139	155,224
1849	6,751,514	61,034	956,419	726.979
1850	4,316,145	5,702	430,329	307,867
1851	1,567,096	4,277	944,176	1,018,672

It will be observed that, although the prices in England have this year been lower, yet the quantities sent thither have very much increased—that is to say, the English average price of wheat has been, since January this year, 37s. 10d.; last year it was 39s., or 1s. 10d. higher; yet the United States has sent thither 5,500,000 bushels wheat against only 1,800,000 last year at the higher price. If now, with ample means of transportation, the prices in western Europe have been at their *minimum*, the future promises very large markets for the produce of our farmers.

And the English dates, down to the middle of June, produced very active shipments of breadstuffs from New-York, with advancing freights. The returns of the shipments of gold, breadstuffs and cotton, of which the price, after a considerable fall, shows signs of again rising, will continue to act favorably upon the government finances.

When the subject of the government finances is under discussion, it is useful to recur frequently to the views and facts furnished by those who have been in charge of that department, in order the more readily to distinguish between the designs of party and the enunciation of logical deductions from the operation of sound principles. Thus the party which succeeded the brilliant administration of Mr. Polk attempted undisguisedly to swell the expenditures of the government in every possible way, in order to afford a pretext for exacting more taxes from the labor of the country, thus enhancing the patronage of the government, not only through the expenditure, but by means of the interests which shared with the government the tribute exacted from labor. That is to say, if the usual estimate is correct, that 10 per cent. of all the goods consumed in the country are imported, and that the price of all is raised to the consumer for the protection of the manufacturers in the proportion of the tariff, then for every dollar of customs which the government receives, the manufacturing interests which it protects receive $9 from the consumers. Hence the $40,000,000, which the government drew from customs in 1850, was the means of taking from labor $360,000,000 to swell the profits of capital; and the result of such injustice is manifest in England, where, after 150 years of protection, the pauper

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condition of the laboring millions affords so awful a contrast to the vast wealth of the few, as to extort a cry of horror from those who, on occasion of the World's Fair, visited England for the first time. Most truly did Mr. Walker, in his report for 1848, state, (page 7)—"The adoption of high tariffs is a war upon labor," recognizing the true principles of national prosperity. He stated, (page 3:)

"This statement shows a balance in the treasury on the 30th June, 1849, of $2,853,694; and *a balance in the treasury on the 30th June*, 1850, of $5,040,-542."

In the following year came Mr. Meredith, with his large expenditures and projected loans; and in his report for 1849 he states, (page 6:)

"It will be observed that there is *estimated a deficit* on the 1st July next of $6,828,121, and on the 1st July, 1851, of $10,547,092—making, in the whole, an estimated deficit of $16,375,214 to be provided for, arising from the expenses of the war and treaty with Mexico."

Last year came Mr. Corwin, with his schemes and queries. He informs us that the balance in the treasury, July, 1850, was $6,604,544, falsifying Mr. Walker, and showing a difference of over twelve millions from Mr. Meredith's estimate. He estimates the customs duties for the year 1851 at $45,000,000, and the money on hand July 1, 1851, at $458,996. We now come to the actual customs for the eleven months of the year elapsed, and the amount of money on hand, as follows:

UNITED STATES REVENUES FROM JULY TO MAY, INCLUSIVE, AND CASH BALANCE.

July to June.	Customs.	Cash in treasury.
1850	$36,618,490	$8,989,382
1851	44,349,063	14,259,274
Increase	7,730,573	5,269,892

This is an average amount of customs equal to $4,400,000 per month, a continuance of which for June would give nearly $49,000,000 as the customs revenue for the year, leaving a large balance in the treasury, and enabling the Secretary to issue his notice for paying off on the 9th August next the five per cent. stock of 1846, which was issued in payment of the four and five instalments of the old Mexican claims, due in April, 1844. The amount is $303,573. Thus, instead of a loan of $16,000,000 to meet a deficient revenue, the old loans are paid off as they fall due to the extent—including the Mexican indemnity and claims, and that payable in August—of nearly $7,000,000, leaving a large balance in the treasury. This is a result that must "puzzle that Philadelphia lawyer."

It is a little remarkable that men who are so shrewd about selling out their own claims upon the treasury at good round sums, making such good bargains *out* of the treasury, should be so very blundering about making bargains *for* the treasury. Our friend, Mr. Corwin, estimated (page 21) that the California mines would yield fifty millions per annum, and that out of that we might be able to export annually from ten to fifteen millions, which, added to one hundred

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and fifty-two millions of other products—which he assumed as the maximum export—would make one hundred and sixty-five millions. He then says:

"If the present rate of duties be applied to that amount, we should receive from the customs only $37,950,000, and the amount of revenue required for the present and succeeding years, would fall short of the estimates for the current year by a fraction over seven millions."

He does not quite ask for a new loan, but wants to increase the taxes so as to make consumers of goods pay more into the treasury for the benefit of Galphin claims, and also into the pockets of the corporate millionaires.

If the California mines yield fifty millions per annum, why may it not all be exported after the channels of circulation are full? After we have got enough to circulate, the remainder has no value, except in the exchange for consumable articles—unless Mr. Corwin wants to pave the streets with it.

The imports for the present year of dutiable goods will be very nearly two hundred millions, and the rates of exchange show, independent of collateral and anomalous causes, no adverse balance; that is to say, they remain very nearly the actual par, and money rather increases in abundance at all the commercial centres.

In a country like ours, of great natural wealth, generally distributed among an enterprising people, a great deal of money may be extracted from them by high rates of taxation; but those rates of taxation will depress the general trade, and make the products of industry less productive, while they enhance the proportion of wealth which the protected capital draws from the producing many. In extracting a revenue from consumers through the agency of indirect taxes, the object should be to raise it from as large an amount of trade as possible. Thus we may compare the year 1831, or "twenty years ago," with the official returns for 1850, and the estimates for 1851:—

	Domestic exports.	Dutiable imports.	Duties.	Duties per ct.
1831	$61,277,057	$89,734,499	$36,596,118	40⅔
1850	136,946,912	155,427,936	39,668,686	25½
1851	170,000,000	192,000,000	48,000,000	25

The export value is that of the invoices cleared at the custom-house here; the import value is that of the foreign cost. Now 36,000,000 of dollars extracted in 1831 from 12,000,000 of souls, who sold only $61,000,000 of produce, was a far heavier burden than $39,000,000 extracted from 23,000,000 of souls, who sold $137,000,000 in 1850: that is to say, in 1830 the exports of the country were $5 per head, and the tax $3 per head—difference $2. In 1850 the exports were $6 per head, and the tax $ 1 75—difference in favor of producer, $4 25. But this is a small part of the matter. If the duty imposed for the protection of manufacturers has the effect they desire, and compels the consumers to pay as much more for the home articles as the amount of the duty imposed upon the competing foreign one, and the proportion of these latter is admitted to be one-third of the whole consumption, although the census of 1840 should be only one-fifth, then the tribute paid by productive industry to manufacturing capital amounted in that year to $73,192,236. The account stands, then, thus—1831:

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	Amount.	Rate duties, per cent.	Amount paid by consumers.
Imports	$89,734,499	40¾	$36,596,118
Home goods	179,468,998	40¾	73,192,236
Total	$269,203,497		$109,788,354

Now the tribute to manufacturers and the tax of the government amount to $109,788,354. The rate of duty was then reduced to 25 per cent., and the imports have doubled. The account, then, stands thus—1851:

		Duty, rate.	Amount.
Imports	$192.000,000	25	$48.000.000
Home goods	200,000,000	25	50,000,000
Total	$392,000,000		$98,000,000

Thus the government gets *twelve millions more* money, and the people pay nearly *twelve millions less*, at the same time they export *three times* as much produce. If the profit on sixty-one millions exports is estimated at twelve millions, that on one hundred and seventy millions may be put at thirty-five millions. Thus they make twenty-three millions more profit, and pay twelve millions less tribute—making thirty-five millions—while the government gets twelve millions more revenue. It is thus that comparative freedom of trade counteracts that tendency of capital to accumulate in a few hands at the expense of the many, which, during 150 years of protection in England, produced that state of things that strikes the stranger with horror when he visits their cities for the first time: Under a diminished tariff, the disparity in the prices between foreign and home productions is less, and the tribute thus levied by law upon consumers for the benefit of capital is less. The profits of agricultural producers by means of larger sales are greater, and the expense of encouraging manufactures is less; consequently, labor retains to itself a larger portion of what it has itself produced. Capital complains because it accumulates less rapidly; but the silent prosperity of the many manifests itself in general content. The financial evils attributed to the operation of low tariffs, belong exclusively to the credit system, operated upon by high tariffs. The high tariffs of 1828, by checking importations, produced an unnatural state of the exchanges, on which the bank-paper system expanded rapidly under the spur of the political struggles of the late national bank, causing prices to rise on a paper basis, encouraging imports, and discouraging exports. This cannot now happen. The admirable independent treasury system preserves that specie test of prices which neither permits of an unnatural elevation in the value of imported goods, nor prevents an excess of produce from finding such a level as stimulates exports until the surplus is sold.

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GOSSIP BY DUDLEY PERKINS, LL.D.

William Howitt is a pleasant book-maker. Without any originality, depth of idea, or other prominent or peculiar feature, he is a racy collector and arranger; a well-stored gossip, a rather industrious reader, an admirable road-side talker, with a manner comprehensive, flowing, hearty, sometimes rich in illustration, and always genially egotistic. Leigh Hunt has a happy vein of egotism—Howitt's, while it is less happy, is more self-important. The latter says things more with Quaker strength than epicurean polish; while Lamartine's egotism is equally polished and obtrusive.

In the same respect as Mr. Gilfillan is a literary portrait painter, Mr. Howitt is a literary landscape gardener—in some instances a landscape *painter*. And he *does* paint a landscape in words—its clustering foliage, rich and heavy, when the summer is gliding into autumn; its genial sky tinged with a warm glow, like a half conscious beauty in the presence of her admirer; the brown hills floating in a sultry purple vapor, like rich grapes in a cup of wine; or Wordsworth's matter-of-fact surrounded with Coleridge's thoughts. The streamlet in the foreground whimpering along the edges, and laughing over the stones and pebbles like youngsters gamboling at leap-frog—and the distant homestead, with shining gable in judicious relief, and the blue smoke melting off into the limber ash trees and sheltering elms behind—such a landscape can he paint with almost the richness of color and condonsed variety of a Wilson, while his farm-yard, and country lads and lasses, with their yellow hair, laughing eyes, and rosy cheeks, remind one of Gainsborough and Morland. After he has presented you with the *tout ensemble* of his landscape, he takes you through every green lane, through his every favorite copse, down by the hedge side, and up the mountain, to tell you of the primrose, and the sweet briar, and the woodbine, and the forget-me-nots, and blue bells, or the honeysuckle, blue campanula, white convolvulus, or the orange berries of the mountain ash. He brings you to listen to the first coo of the ring-dove in March, or the flying twitter of the swallow in August—to look at the tawny-breasted king-fisher flitting along the river bank in May, or the welcome red-breast in December.

When we had finished glancing through his last work, "The Country Year Book," and while yet the pictures of favorite spots in *his* country were in our "mind's eye," and while we grew young again thinking over early days and scenes in *our own*, we relit our pipe and smoked ourself into a forgetfulness of the present, and the winds that shook our brown curls at eighteen, fanned our forehead again, and the burly echoes that answered our halloos through the glen, awoke on the tympanum of the mountain solitude as fresh and vigorous as ever.

We were young again—a manly likeness of our boy, D. P., junior, who sits yonder by the stove, busy in delight over "Gulliver's Travels," and wondering why his school geography does not say something of the kingdoms of Lilliput and Brobdignag, for he has in vain sought out their whereabouts. Well, we were, say, an eighteen years' likeness to him, and we dwelt on one of the hill-sides of a glorious valley. A wild river, hissing and sparkling like fresh champaigne, wound through its centre, and from which at either side the land rose, first in sloping table lands, and then in rough and barren grandeur. A green and yellow verdure plaided its way nearly half-way up several of the hills around—one or two were green to the summit at stated seasons, while others, the loftiest, rose rough, brown and gloomy into the very sky. Oft have we watched the sun dying off behind the western hills, and bronzing the summit of the taller ones

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with the hue of the red man, or its native mountaineer; and in the morning, we have often thought of the fair face of Desdemona reclining on the brown shoulder of the Moor Othello, as the beautiful clouds, clear as porcelain, dimpled their fullness resting on the mountain's breast. Up through the valley, an occasional clump of trees denoted where the tiller of the soil pitched his camp, and, enjoying his health and mountain air, felt as happy in his cabin as if it was the stateliest city palace. We felt much happier; and the humble farmer would feel so too, had he our bitter experience. Here in our mountain solitude have we studied Milton—here have we ranged the armies of Paradise and perdition, and viewed the war for eternal life. Here have we almost worshipped Lucifer for his daring and ambition. You know, saintly reader, youth is ambitious and daring, and it was less our fault than Milton's. We loved Eve then—rash youth—and if she had offered, would have eaten as many apples as it is recorded gave Swift the illness from which he never recovered. We don't mean to say that he means would have effected the end any way the more particular, for in both instances, that of Swift's basketful, and Adam's single one, the eating was irreparable; but we mean to say, a bushel of pippins should never have measured our passion for the first woman. The "sin of our first parents" is a standing theme for popular wail, but Dudley Perkins doubts very much, if our last parents were in Eden, that any serious alteration would have to be made in the book of Genesis.

Here, in this valley home of the turning point of our life, have we lived in the glorious air-castles of imagination—in fabrics Miltonic, Dantesque, Byronic, till it became almost a transition to some purgatorial world, when we had to enter into the strifes, turmoil and unhealthy prose of what is termed civilized life. Cruel, heartless existence! And there was one, fair reader, who dwelt in my ærial palace-houses, who looked on the wild brocken through the eyes of a poetess, and gave a dreamy reality to the mansions we conjointly raised for the shelter of our love. Who worship ed nature with me till her heart was as simple and as grand as heaven's productions ever are. Who, when she wished to view herself, looked at me, for I reflected her—and in her alone I saw myself. The same grass which bent not beneath her feet in its eagerness to touch it as she tripped along, kissed mine, for that I followed her as much as to whisper, "God speed." And I always thought the rough breeze coming off the mountains was a messenger of love, when he twined her raven tresses and my brown locks as I sheltered her from his kiss, or lifted her over some mimic cascade or ambitious bramble. Those were the "Paul and Virginia" days of our existence. How fair she was, how graceful! Perkins dare not task his heart to describe her at this far date, when his head is gray unto whiteness, and his limbs unsteady. He has already thought too much on such a tender subject, and must take refuge in the world of words. Like most unfortunate men, that which harasses his feelings most he loves to dwell upon. But mirth can divert, though it cannot annihilate; and Dudley Perkins, LL.D., has for his motto the Italian proverb:—"A hundred years of melancholy will not pay a farthing of debt." Experientia docet. It is a good one. Under the head, "The Old Lodge of Queen Elizabeth," Howitt discourses thus:—

"Away! but whither? To the Old Lodge of Queen Bess. Old Lodge, we salute thee for thy venerable antiquity; but we owe thee no respect as the one-time resort of the boasted virgin queen! No! We revere not the den of the assassin—we have no worship for the hand of the murderer, whether clad in royal, or in ragged apparel. Foh! The blood of a queen and of a cousin is on the hands of that wretched old woman! Let the interested courtier doff his hat, and fling his mantle in the way of that ancient hag, and Jezebel. We owe more respect to hat and mantle, and to our own self, than thus to desecrate them! Foh! She thought Sir Amias Paulett a dainty fellow, because he would not take off her captive cousin privily at her command. She kept Sir Ralph Sadler as her royal commission of murder at Berwick. She imprisoned and ruined poor Secretary Davison as her scapegoat, for the foul murder of her captive rival. Shall I lift my hand to do the royal tigress homage? The bloody stump of the printer who dared to print a pamphlet against her projected Spanish marriage rises up and warns me. Get thee behind me, Satan; and all those who have painted thee, as a noble mother in Israel."

"Howitt's Book" is a very pleasant one. He is a first-rate gossipper about th country. When I read a few pages of him, I almost catch the fragrance floating off the wild thyme and sweet meadow—and hear the little birds twittering and love-making about the corn. It makes me melancholy—for it brings back youth and joy, and I never can reach those early days without passing over a stygian era—a gloomy, comfortless, solitary moor with nought to cheer, but every thing and every thought on and about it depressing and rayless.

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MISCELLANEOUS.

ITALIAN OPERA, CASTLE GARDEN.

The principal operas performed during the month have been, "Lucia di Lammermoor," "Don Giovanni," "Lucrezia Borgia," "La Favorita," and "Marino Faliero." The last was never before performed in New-York. All must admit that it was a triumph—a finer opera has never been presented to the American public. Marini, as the *Doge*, won for himself a great reputation, making the part his own; Beneventano, as *Israele*, and Truffi-Benedetti, as *Elena*, maintain their popularity. We would allude more fully to this opera, did our space allow it; but, as it is, can only mention the duett and chorus at the conclusion of the second act, and the grand *finale*, as being the finest portions of "Faliero." Concerning "Don Giovanni," the musical critics are waging war: one side insists that Marini's personation of *Leporello* has in it too much buffoonery, and the other side maintains a contrary opinion. We will not strive to settle their quarrel, but, for our own part, will say that the opera, Marini included, gave us great satisfaction. Max Maretzek deserves much credit for his untiring efforts, and we do not doubt but that he will be amply rewarded.

BROADWAY THEATRE.

The principal attraction during the month has been the grand spectacle "Azael, the Prodigal." It is, we believe, a translation from the French, and, as its title indicates, is a version of the Prodigal Son. The scenery is very elegant, although marks of haste may easily be traced; the ballet and groupings were quite picturesque. Its poetical merits are beyond what we usually find in spectacles. Miss Anderton, Mrs. Abbot, and Mr. Conway, support the principal characters.

NIBLO'S GARDEN.

During more than twenty years Niblo's Garden has been one of the chief attractions of the city of New-York. Its performances have always been of a high character, and, for many years, the establishment, under the control of Mr. William Niblo, has held the first rank among the public amusements of the metropolis. The able manager has held a situation in the public esteem similar to that occupied physically by the garden. Twenty years ago it was "out of town," but a point of attraction; the dwellings of the citizens have gradually passed it, and spread upon the upper portion of the island, until the garden is "down town," but a greater point of attraction than ever. So it has been with the performances; they have always presented the highest amusement for the less fashionable classes, without ever losing the recognition of the

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highest fashion. Whether the Ravel family, or the Rossuets, or Burton's admirable company, occupy the stage, the same brilliant and crowded assemblage graces the beautiful building erected upon the site of that destroyed by fire some years since. During the present summer the Ravel family and Burton's company of comedians play on alternate nights of each week. Gabriel Ravel, after many years retirement, has again appeared with more than his wonted *eclat*. On the front of the lot formerly occupied by the garden exclusively, Mr. Niblo has erected a block of buildings, which forms one of the chief architectural ornaments of the city. Its symmetry, beauty, and general appearance, has scarcely an equal in any other city of the Union.

BROUGHAM'S LYCEUM.

As the city of New-York swells in numbers of residents, and experiences an annually increasing influx of strangers, not only the variety, but the style of amusements, requires multiplication; and Mr. Brougham, with much enterprise, detected, not only the want, but the mode of meeting it. Single-handed, and backed by nothing but his energy and popularity, he purchased a site and built a theatre, which, from the start, was successful, and has been since gaining upon public esteem. The manager himself, a most successful "playwright," is indefatigable in the production of novelty, and has a happy manner of working up the foibles, follies and fallacies of the day into most amusing, satirical sketches, which please without fatiguing, and hit without wounding. This style of things seems to penetrate through the "heavy business" of the latter ages, and reach the classic era, when existing men and manners were correctly reflected by the mimic art.

NOTICES OF NEW BOOKS.

SHAKSPEARE'S DRAMATIC WORKS. With Introductory Remarks and Notes, Original and Selected. Boston: Phillips, Sampson & Co.

This magnificent edition has been increased beyond the compass of the original plan, by the addition of the Miscellaneous Works of the great poet. To facilitate the completion of Shakspeare's Works, the publishers thought it advisable to issue the Poems in three large Parts—each one containing about three times as much as the average of the preceding numbers. The present number, containing Nos. 39-40-41, with a beautiful portrait of Desdemona, forms the first of this series.

The next number will contain a magnificent vignette title page, now engraving, from an original design by Billings.

The third, and concluding part, will contain a splendid engraving of Mrs. Siddons as the tragic muse, from the celebrated painting by Sir Joshua Reynolds.

THE PARTHENON: Containing Original Characteristic Papers. By living American Authors, Illustrated by Darley, Billings, Wallen, Wade, Croome, Kirk, and others. New-York: Loomis, Griswold & Co.

Mr. Griswold has labored long and well in the cause of American literature, and has, in the general effect of his works, done much to consolidate and nationalize it. This new work, now presented to the public, we doubt not will have an importan influence in the same direction, thereby rivalling, we hope, both in importance and

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duration, its Athenian prototype. The design is a magnificent one, and the first number, in its execution, well sustains the design. Each living American author contributes a gem in his peculiar style. It is superbly printed, in quarto form, accompanied with illustrations in the best style of American art, and subscribed with the *fac simile* autographs of each author. The number of writers is large, and the engravings will reach, for the volume, 200 in number, of which 50 are full page size, in tint. A splendid frontispiece, title-page, with comprehensive index to authors, artists, and engravers, will accompany the 12th number, which will complete the volume. The price is $1 per number, or $9, in advance, for the volume.

The first number opens appropriately, with an article, by Cooper, entitled the "Lake Gun," illustrated with exquisite sketches of Seneca Lake—a poem by Mrs. Sigourney follows; two by Miss Gould; one by Augustine Duganne; closing with another by Wallace.

THE GIRLHOOD OF SHAKSPEARE'S HEROINES. By Mary Cowden Clarke. Tale V. Meg and Alice. George P. Putnam.

This series of well-wrought stories has reached its fifth number, under growing popularity.

A SCHOOL DICTIONARY of the Latin Language. By Dr. J. H. Kaltschmidt. Blanchard & Lea.

This volume forms the 2d, or English-Latin part, of the Dictionary, of which the 1st part has already obtained a wide-spread reputation.

TRENTON FALLS, Picturesque and Descriptive. Edited by N. Parker Willis. Embracing the Original Essays of John Sherman, the First Resident. With Illustrations. George P. Putnam.

This little work, having the marks of Mr. Willis' editorship, is elegantly printed and illustrated with nine engravings. It is descriptive of one of the most lovely spots of Western New-York.

PARA; or Scenes and Adventures on the Banks of the Amazon. By John Esaias Warren. G. P. Putnam.

This work, written in a very lively and anecdotical style, has great attractions. It describes a country, almost a fairy land, and a people of whom but little is known, comparatively, but which will yet play a very important part in the world's history. The sportive manner of the writer lends a charm to scenes which, although before described, derive a new interest from the attractive garb in which they are now clothed.

THE AMERICAN COTTON SPINNER, and Manager's and Carder's Guide; A Practical Treatise on Cotton Spinning, giving the dimensions and speed of Machinery, draught and twist calculations, etc., with Notices of Recent Improvements, &c. &c. Compiled from the Papers of the late Robert H. Baird. A. Hart, late Carey & Hart, Philadelphia.

A practical treatise on cotton spinning, requiring only its announcement in a country like this, to make it eagerly sought for. That we are the sole resource, from which the spinners of the world look for supplies of the raw material, is known; that we shall soon become the sole source of supply for cotton cloth, is certain; and it is by means of such information, as is contained in this little cheap volume, that the public become interested and instructed in that important branch of industry.

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CALEB FIELD. A Tale of the Puritans. By the author of "Markland," &c. Harper Brothers.

This little story, of the times of Cromwell, is of much interest, notwithstanding that it travels over an oft-beaten path.

FRESH GLEANING; or a New Sheaf from the Old Fields of Continental Europe. By Ike Marvel. Charles Scribner.

The high reputation which "Ike Marvel" has acquired since the publication of the first edition of these sketches, has made a new edition desirable. The "Lorgnette" and the "Reveries of a Bachelor," the latter more particularly, have won their way to the public admiration, and, in many cases, awakened an enthusiasm beyond that which most new books inspire, and thereby produced a demand for more of the author's productions. The new edition is beautifully printed, uniform with the other works of Marvel, published by Scribner.

THE MOULDER'S AND FOUNDER'S POCKET GUIDE; A Treatise on Moulding and Founding in Green Sand, Dry Sand, &c. &c. By Fred. Overman, Mining Engineer. A. Hart, late Carey and Hart.

It is always with pleasure that we hail these little practical works, on the different branches of the great business of life. Anything that diffuses useful and practical information among the people at large, is a benefaction to society, and these works of Mr. Overman are peculiarly of this class.

MODERN HISTORY, from the coming of Christ and the change of the Roman Republic into an Empire, to the year of our Lord 1850. By Peter Fredet, D. D., Professor of History in St. Mary's College, Baltimore. John Murphy & Co., Baltimore.

The great learning and ability of Dr. Fredet are conspicuously manifest in this work, which contains a very concise, yet clear and harmonious history of human progress during eighteen centuries and a half. The matter is admirably arranged, chronologically, and with every facility for dates and reference, making it valuable as a book of easy reference. It has also the merit of taking a catholic view of historical events, and in so far frees the narrative from that singularly malignant prejudice which pervades English Protestant histories, and which are the result of the political strife of the 17th century. The degree, in which the animosities against Catholics, growing out of the misconduct of James II., has been prolonged in the New-England States, is scarcely credible. Although Catholicism has never existed there, it is only within a few years that the parade of an effigy, with hoofs and horns, and called the Pope, has been discontinued. It was one of the many modes adopted by politicians, to prejudice the masses, that was continued long after the import had been forgotten. It is now time that history, at least, should be purged from the misrepresentations of both sects; but Gibbons are not found in every age.

MEMOIRS OF WILLIAM WORDSWORTH, Poet Laureate, D. C. L. By Christopher Wordsworth, D. D., Canon of Westminster. In Two Volumes. Edited by Henry Reed. Ticknor, Reed & Fields, Boston.

The poetry of Wordsworth has found many zealous admirers on this side of the Atlantic, and the Memoirs now published by Messrs. Ticknor, Reed & Fields, and so ably edited by Professor Reed, will be to them a welcome publication. The clear-headed and earnest manner in which, like a true-hearted metaphysician, Wordsworth was wont to present the true, won for him on this side of the Atlantic, a better apprecia-

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tion, than if he had been endowed with more of the fire of passion. The faculty of love seemed to be that which he most liked to exercise. The present Memoirs develop more fully those circumstances of the poet's life, which he so fully brought into review in the Prelude, and are replete with interest.

PROMETHEUS BOUND, and other Poems: including Sonnets from the Portuguese, Casa Guidi Windows, etc. By Elizabeth Barret Browning. New-York: C. S. Francis & Co., 252 Broadway.

We echo but the general sentiment, in saying that Mrs. Browning is the most accomplished poetical writer of the present day among lady authors. There is in her poetry freshness and vigor, breadth of intellect, and purity of expression;—a combination seldom met with in modern poems. "Casa Guidi Windows" is the principal poem in the present volume; it is a narrative of late revolutionary movements in Florence, as observed from Casa Guidi Windows, intersperised with reflections suggested by passing events. It contains many passages of great beauty, and is, perhaps, the finest, as well as the latest production, of Mrs. Browning's pen. The sonnets from the Portuguese are new to us; we were most pleased with the fifth and sixth, though, indeed, the poorest of the entire number is far above the generally so-called sonnets.

The volume is issued in the usually neat and elegant style of Messrs. Francis & Co.'s publications.

COSMOS: A Sketch of a Physical Description of the Universe. By Alexander Von Humboldt. Translated from the German. By E. C. Otté. Vol. III. Harper Brothers.

The third volume of this great work of Humboldt has made its appearance, from the press of Messrs. Harpers, well translated, and printed in the usual admirable style of that house. Such a work, from such a man, requires but announcement.

REN.; OR THE SNOW BIRD. A Tale of Real Life. By Caroline Lee Hentz, author of Linda, &c. A. Hart, late Carey & Hart. Philadelphia.

A well printed and interesting story, which well sustains the reputation of the authoress.

LE COURRIER DES ETATS-UNIS—[The United States Courier.] Office 73 Franklin-street, near Broadway, New-York.

This French newspaper is now issued daily. Terms of the daily, $8 00. The Courrier des Etats-Unis gives now, in full, the Trial of H. de Bocarme and Wife, which is going on in Belgium, and creating an extraordinary sensation throughout Europe.

A few copies of the numbers containing the report can be had at the office: four cents a number.

The complete report will also appear in the weekly edition of the Courrier des Etats-Unis, the first number of which will be issued Saturday, 28th this month.

Terms of the weekly, $3 00 a year. Single copies, six cents. A liberal discount to Clubs, Agents and Publishers.

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THE

UNITED STATES MAGAZINE,

AND

DEMOCRATIC REVIEW.

VOL. XXIX. AUGUST, 1851. NO. CLVIII.

SUFFRAGE—FRANCE AND AMERICA.

THE principle of universal suffrage, as adopted in the United States, was the unrestrained exercise of that right on the part of all white male citizens over twenty-one years of age, unless the right was forfeited by some violation of law on the part of the individual. Thus, the white males of age constituted the political nation; and these, according to the several enumerations, state and federal, number pretty uniformly about one-fourth part of the whole people, and these again are divided pretty equally into two parties, which alternately triumph; hence, about one-eighth part of the whole number of souls would govern the nation, or, at least, would appoint the officers who should carry on the government, if the principle was fully carried out. Through the operation of various state laws, however, restraints are imposed which still further reduce the number of legal voters, and render the governing minority of the whole people still more marked. Thus, of the New England states, Rhode Island had, in 1840, at the date of the census, a property qualification for voters; while in New Hampshire, as an instance, no restraint but those growing out of crimes were imposed upon the right of suffrage. If we compare these two states by taking the number of white males over the age of twenty-one, according to the United States census, and the number of votes cast at the presidential election of that year, when probably the strongest vote was brought out, we observe a great disparity, thus:

	Population.	White males over 21.	No. of votes cast.	No. of males in 100 population.	No. of votes in 100 population.	No. of males over 21 who did not vote.
New Hampshire,	284,754	70,377	59.919	25	20	5
Rhode Island,	108,830	26,266	8,579	25	8	17

Thus, in New Hampshire, among 100 inhabitants, there were twenty actual voters, and only five per cent. of aged, sick, incapacitated, or neglecting to vote. In Rhode Island, out of 100 inhabitants, twenty-five were free white males, but only eight voted, while seventeen were mostly restricted by the operation of the property qualification. If we carry out this table so as to embrace all the states in the Union, in 1840, we shall remark singular variations, as follows:

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NUMBER OF FREE WHITE MALES OVER 21 YEARS IN EACH STATE PER CENSUS OF 1840—NUMBER OF VOTES CAST AT THE PRESIDENTIAL ELECTION, WITH THE PROPORTION OF MALES, VOTERS AND NON-VOTERS, TO THE ABOVE POPULATION.

	Males.	Votes.	Males pop.	Males vote.	Males not vote.
Maine	117,351	92,813	23.	18.	5.
New Hampshire	70,377	59,919	25.	20.	5.
Vermont	70,973	50,458	26.	17.	7.
Massachusetts	198,030	124,818	25.	16.	7.
Rhode Island	26,666	8,579	25.	8.	17.
Connecticut	77,871	56,891	25.	18.	7.
New York	591,674	438,344	24.	18.	6.
New Jersey	83,155	74,385	22.	19.	3.
Pennsylvania	486,592	287,693	28.	16.	12.
Ohio	336,818	272,939	22.	17.	5.
Indiana	142,120	116,906	21.	17.	4.
Illinois	143,656	93,013	30.	19.	11.
Michigan	64,131	44,064	30.	20.	10.
Wisconsin	11,690		27.		
Iowa	12,284		39.		
Mississippi	43,413	36,493	24.	20.	4.
Delaware	13,778	10,841	23.	18.	5.
Maryland	76,573	62,280	24.	19.	5.
Virginia	164,345	86,394	20.	11.	9.
North Carolina	100,811	80,158	20.	15.	5.
South Carolina	55,928		21.		
Georgia	85,943	72,197	21.	17.	4.
Florida	9,229				
Alabama	72,825	62,462	21.	18.	3.
Missouri	74,413	52,732	23.	16.	7.
Louisiana	50,110	18,912	28.	11.	17.
Arkansas	18,333	10,411	23.	13.	10.
Kentucky	127,990	91,105	21.	15.	6.
Tennessee	126,724	108,680	18.	16.	3.

In this table it appears that the number of 25 per 100 of population is the average for free white males in the northern and western states. The proportion of white males in the newly settled states is very high, but owing probably to the sparse settlement, and the large proportion of aliens in the country, the ratio of votes do not rise. In the new southern states, where immigration does not affect the representative numbers in so great a degree, there is less disparity between the number of votes and the number of white males, with the exception of Louisiana, where the vote for 1840 was under the old constitution of that state, which restrained the right by property qualification. The recent modification of these restraints by the constitutions recently adopted, has much increased the number of voters. It results generally, that in a population of 14 million whites in 1840, there were 3,538,000 free white males over twenty-one years of age, and of these 2,405,506 voted; and of these, 1,300,000 decided elections, and with them the policy of the government: that is to say, the vote of one person governed eleven. The number of votes cast was much increased from what it would have been, had the tide of immigration been less, or had the restraints imposed upon aliens been more stringent. The number of males which arrive in the country by much exceeds those of the females, thus: in 1850 there arrived in the United States 158,000 males and 113,000 females, giving an excess of 47,000 males who can become voters in from three to five years in New-York, and vote for the Chief Magistrate of the Union, while many Americans of great intellect and large property can never enjoy that right. That an extended and reformed mode of franchise is needed,

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is evident, and in some respects the initiative steps have been taken in this direction. In many of the states the rights of the "unrepresented classes" have, in the State Constitutional Conventions, received more attention of late, particularly in the mode of protecting them; but it would seem to be better to go directly to the point, and alter their condition from the "unrepresented classes." In the case of property, the relations between man and wife in New-York and some other states have been changed so far, that the married female holds absolutely in her own right the property which comes to her through any other channel than her husband. Thus *her* property is, before the law, no longer *his* property. In this position it becomes necessary for her to exercise the control of that property; and a law was passed at the last session of the New-York legislature, giving married women the right to vote at elections of officers and directors in corporations of which they are stockholders. That is to say, if a married woman holds 100 shares of bank stock, she can vote at the election of officers and directors. Now, if the same woman holds land and houses forming a portion of the city corporation, has not she as much natural right to vote for the mayor and aldermen who manage the business of that corporation, as for the president and directors who manage the affairs of the moneyed corporation in which she is concerned? This, however, is applying a property qualification to women, and degrading the intellectuality of the voter in the manner pointed out by Dr. Franklin when the property qualification was proposed. Said he: "Suppose a man owns a jackass worth $100, and that property confers upon him the right to vote: very well! he votes, but in the next year the death of the animal deprives the man of the vote: was it then the man or the jackass which voted?" It is not this ground of the mere possession of property, which, for the most part, she has not earned, that the female influence at the polls would be most desirable; but it is on the ground of the moral influence which the female voice would exert upon the course of government, that the greatest good might be expected. The moral influence of woman in the social state softening and purifying the ruder temper of the sterner sex, has long been admitted, even if ever doubted. Her perception of right and wrong is more acute, and her superior love of offspring would form a most powerful check upon that profligacy of legislation, which has not only become so disgraceful, but is so rapidly increasing in magnitude, and which, if no check upon it is applied, must become subversive of government. The question arises whether, by enlisting women, by giving them a voice in its management, in the operations of government, they would not throw over the political world that moral restraint which is so beneficial in the social state. How many of the actors in the rogueries at Albany, during the present summer, would retain their places, if their knavish tricks were discussed in the female circles as freely as the important question whether skirts should be long or short, or be worn with pantalettes or without?—The probability is, that if the temporal as well as the spiritual, the political as well as the social portion of their offspring were to engage the attention of the mothers of America, by which we do not mean that silly and frivolous portion of the sex which supposes that the welfare of a nation and the destiny of a race hangs upon the cut of a collar, or the fashion of a frock, or the length of leggings, that an immense and beneficial influence would soon be felt upon the course of politics.

The right of suffrage has been pushed in the United States, until it now embraces all male whites over twenty-one years of age not under convic-

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tion for crime. The ground traveled over since our Saxon ancestors, incapable of holding property, walked about with the iron collars upon their necks, inscribed with the names of their owners, has been considerable. Personal freedom, property, political rights, a voice in the government, and finally, the control of the government, have all successively been acquired or "recovered" by adult male whites, from those who deprived them of those natural rights. The position of woman, until very recently, has not changed, and now slightly only in respect of property. A change has, however, been made in that direction, and none can doubt but that further progress is at hand.

In Europe, the emancipation of the males is more slow and fluctuating in its progress. In France, the popular will has been allowed to manifest itself only at times; and it is a peculiarity either of the French people or of their enthusiastic nature, that the vote is generally one way. Thus, under the right of suffrage acknowleged by the first revolution, the constitution of 1793 was adopted by 1,887,918 votes; that of 1795, by 1,801,918, with scarcely any opposition; that of 1797, which made Bonaparte consul for ten years, had 3,011,007 votes. In 1802, the question "shall Napoleon Bonaparte be consul for life?" was carried by 3,368,029 votes out of 3,557,885 votes. In 1804, the vote electing him Emperor gave him 3,572,329 yeas, against 2,569 nays. When English bribery and German valor succeeded in forcing the Bourbons back upon France, the property qualification imposed upon the right of suffrage nearly destroyed it. Under Louis Philippe, the citizen king, further restriction reduced the number of votes to 200,000, and finally, to 180,000, for the whole of France; while the number of office-holders was raised to 500,000, dependent on the king, or nearly three offices for every vote.

The revolution of February, 1848, restored, as did the old one, the right of suffrage to every male Frenchman of the age of twenty-one; and according to the census of 1846, the number of them in France is 11,026,381, or thirty-one per cent. of the whole population; and the votes for the constituent assembly indicated that the number of voters in each department varies less than two per cent. from the proportionate number of adult males.

The vote for Louis Napoleon resulted as follows:

Males over twenty-one years of age, ...		11,026,381
Votes for Louis Napoleon, ...	5,534,520	
" Cavaignac and others,.....	1,914,951	
Total, ...	———	7,449,471

This showed an actual vote very nearly of the same proportion to the population of males as in the United States:—that is to say, in France, of one hundred persons, twenty-one voted; and in the United States, of one hundred white inhabitants, eighteen voted at the Presidential Election of 1840. At the election of 1848, there were cast 2,872,056—South Carolina giving no popular vote, and the white population in 1850 per census, less South Carolina, was 19,440,367; consequently, there were fifteen votes only to 100 whites. The French vote was, therefore, very large.

On the 20th of December, mysterious movements were observable around the palace of the assembly. The first legion mounted guard, in fatigue order, before the peristyle. The representatives were discussing a printing project. M. Waldeck Rousseau asked permission to make his report on the presidential election. During the reading of this, Louis

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Bonaparte entered the room, to receive his investure from the assembly. He was dressed in a plain suit of black, and wore the order of the legion of honor.

General Cavaignac was seated in the presidential chair. After the reading of the report, he asked to address the house. He ascended the tribune, where he deposited the dismissal of the ministers, resigned his powers, thanked the assembly for its benevolence, and took his seat three benches below M. de Lamartine.

The assembly greeted him with their plaudits of adieu.

Louis Napoleon succeeded him at the tribune. M. Marrast read the form of the oath:

"In the presence of God, and before the French people, represented by the National Assembly, I swear to remain true to the Democratic Republic, one and indivisible, and to fulfill all the duties imposed on me by the constitution."

"I swear it," said Bonaparte, raising his hand.

A salute of artillery then announced to the people the first intelligence of the ceremony.

The new President afterwards read a manifesto, in which the assembly applauded the following passages:

"We have, representative citizens, a great mission to accomplish, which is, to found a Republic in the interest of all, and a just and firm government, which shall be animated with a sincere love of improvement, without its being reactionary or utopian.

"Let us be the men of the country, not those of party, and with God's assistance, we shall, at least, do good, if we cannot accomplish great things."

The assembly rose at the cries of "Long live the Republic!"

Louis Bonaparte descended from the tribune, and went direct to General Cavaignac, and shook him cordially by the hand. The assembly were moved at this spontaneous act, and applauded him for it. The constitution of France, adopted by the National Assembly, November 4, 1848, and which Louis Napoleon thus swore to support, provides—

"ART. 23—Population shall be the basis for election.
ART. 24—Suffrage shall be direct and universal.
ART. 25—All Frenchmen aged 21, and in the enjoyment of their civil and political rights, are electors, without property conditions of any kind."

On this principle, the National Assembly which adopted the constitution was elected; and on the 10th December Louis Napoleon was elected President by the large vote enumerated. On the 15th March following, this assembly, elected by universal suffrage, passed a law chiefly making six months' residence in the commune prior to voting, a condition of the exercise of that right. This cut off 1,087,185 citizens from the right of voting. On the 31st May, 1850, the same assembly passed another law, making *three years'* residence in a commune requisite to exercise the right of voting, and making the payment of the tax *personnelle et mobiliere*, or poll tax and tax on rent, the proof of residence. The letter of the constitution forbids a property qualification of any kind; but this requires the payment of a tax as a proof of residence. The contribution *personnelle* and *mobiliere* is divided into two parts:—1. The *personnelle* is a kind of poll-tax, rated at three days' labor; the value of a day's labor is fixed by the Council-General of the Department; its maximum is 1f. 50c., and its minimum 50 centimes *per diem*. This applies only to men from eighteen years and upwards; women and children are exempt. 2. The tax *mobiliere* is fixed according to the rent of a habitation, at the

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rate of three per cent. on the rent, and is levied upon all rents from 200 to 2,500 francs, which is the maximum to which the per centage extends. No person pays less than 5 francs, nor more than 80 francs per annum for the tax *mobiliere*, for which the landlord of the house is responsible to government, and to whom the tenants are bound to produce on demand the receipts of their having paid their taxes. Persons living in furnished lodgings are not subjected to this tax.

The whole number of persons who paid these taxes in 1850 is 6,675,942; but from this number must be taken 1,651,968, comprising persons who, by reason of sex, age, and other disabilities, cannot vote, and there remain 5,023,974 voters, or less than half of the adult male French. The comparison stands thus:

	Adult Male French.	Allowed to vote.	Excluded.
By Constitution,	11,026,381	11,026,381	None.
" Law of March, 1849,	11,026,381	9,939,004	1,087,185
" " May 1, 1850,	11,026,381	6,675,962	4,350,419

The localities which lose the greatest number of voters under this rule, are precisely those which by their populousness are entitled to the greatest number of representatives. Thus the department of the *Seine*, embracing Paris, registered 406,929 votes under universal suffrage, and under the law of May 31, has but 138,365, losing 268,564, or two-thirds, while some rural districts only lose one-tenth of the number. Thus it results from this effort to restrain the right of suffrage, that the men who make revolutions and governments, that is to say, the *ouvriers* of Paris and the large cities, and whose numbers are the basis of representation, are precisely the men who are attempted to be excluded from the right of suffrage by this unconstitutional law. That those 268,864 Parisian barricade builders, supported by 4,000,000 of disfranchised citizens in other sections of France, will quietly submit, is not to be supposed for an instant. In New-York, a residence of six months in a ward entitles a citizen to vote. Suppose that the legislature should pass a law making a residence of three years necessary, and making the record of the tax list the only proof of that residence, how many would be entitled to vote, and how would it be submitted to? What is to be anticipated in revolutionary France, when such an outrage has been committed against one entire half of the voters? This infamous bill was carried by a fusion of all the parties opposed to the Constitution and to the Republic. The republicans debated in conclave on the passage of the bill, whether to wait patiently until 1852, and then assert their right to vote, or to descend then into the streets, and oppose by insurrection the usurpation of the assembly. They wisely determined by ten votes to wait. Now, the terms both of the President and the assembly expire in May, 1852, and the elections take place 30 days previous. The constitution provides as follows:

ART. 31.—The National Assembly is to be elected for the period of three years, to be then renewed entirely. *Forty-five days*, at least, before the end of the Legislature, a law shall be passed to fix the period of the new elections. If no law is passed within the prescribed time, the electors shall have full right to assemble and vote on the 30*th day preceding the close* of the Legislature. The new Assembly is convoked, and called to meet, by full right, on the next day after the day on which the trust of the old Assembly expires.

ART. 45.—The President of the Republic shall be elected for four years, and shall not *be eligible for re-election until after an interval of four years*. Neither shall the Vice President, nor any of his relations or kindred, to the sixth degree inclusive, be eligible for re-election after him, within the same interval of time.

ART. 46.—The election shall take place on the second Sunday of the month

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of May. If, in the event of death or dismissal, *or from any other cause*, a President be elected *at any other period, his powers shall expire on the second Sunday of the month of May, in the fourth year following his election.* The President shall be elected by ballot, and by an absolute majority of votes, by the direct suffrages of all the electors of the French departments, and of Algeria.

The present assembly opened May 28, 1849, and consequently expires May 28, 1852. The president was elected December 10, 1848, and consequently his time is up May 10, 1852, and the elections take place within thirty days of that expiration. Thus, precisely at the moment when the government ceases to be, it will be most required to enforce this electoral law against two-thirds of the adult males of Paris, and 4,000,000 disfranchised citizens of the departments, all determined to vote. The President, by the constitution, is not eligible for re-election, and those members who have sought to disfranchise their constituents, will have but little chance, at a moment when there is no government.

In this dilemma the President asks from the assembly a prolongation of his powers to enable him to preserve order. Fears of an insurrection induce many to coincide with his desire for an amendment of the constitution in this respect; others desire to strike out the clause forbidding his re-election; others wish to prolong his powers for 10 years or for life; others, on the plea that the present constitution was never submitted to the people, wish to put the question of republic or monarchy to the people. In short, six or eight parties opposed to each, all desire to immolate the present constitution for the chance of advancing their own interests by a new turn in affairs, and all these see in the peaceful election of a new government under the present constitution, a consolidation of the republic, and diminished chance for a restoration of any phase of monarchy. The constitution, in providing for amendments, required a vote of ¾ of the members, and on the passage of the electoral law the vote was 689, of which, 466 ayes, 223 nays. The majority represents those in favor of amending the constitution, and the minority, the republicans, who are determined at all hazards to stand by the constitution and prevent any amendment. The consequence must be, either a repeal of the obnoxious electoral law, and the peaceful election of a new government under the present constitution by universal suffrage, or an election by universal suffrage in spite of the law, at the hazard of frightful resistance to any attempts to suppress it.

The whole difficulty grows out of a monstrous attempt by unconstitutional means to restrain the right of suffrage, and this difficulty is created for the sole purpose of asking for power to suppress it. It is a strange scheme to violate a constitution by a law, and then ask to have the constitution amended to justify the law; although, to the disgrace of New-York, it is not peculiar to a French assembly to violate a written constitution by a mere law.

The republicans of the assembly hold the balance of power, and make it impossible for the amendment to pass in a constitutional manner. This minority of the assembly represents the will of 4,300,000 disfranchised adult male citizens, and a considerable portion of the remainder, and they will now compel the majority to repeal that obnoxious electoral law, or openly attempt to seize upon absolute power. How much better is their position now, than if the republicans, yielding in 1850 to the voice of a minority of their number, had attempted violent resistance to the law. In that case republicanism would have been lost. It is now trium-

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phant, rallying to its support not only the people at large, but the friends of order, by forcing the monarchical majority into the position of law-breakers. In the meantime petitions circulate in France for the revision of the constitution, and also for the repeal of the electoral law of May, 1851. The latter is, of course, a protest against the amendment of the constitution, and it receives an immense number of signatures; while that for the amendment of the constitution, although circulated by the authority of the government, proceeds slowly. It may be remarked as an indication of the state of affairs, that the petitions for amendment contain 61,700 *marks* of persons who cannot write their own names, and whose understanding must therefore be very ripe upon the question of constitutional revision. The republican minority of the assembly stands now in respect of their revision in the same relation to the nation that Louis Napoleon did as a candidate for the presidency.

The assembly had, in the presidential elections, thrown the whole weight of its influence in favor of General Cavaignac. It had thereby sacrificed itself. The election numerically had returned Louis Bonaparte, thereby constituting the National Assembly a defeated minority. Arithmetically speaking, it was defeated by five millions of suffrages. Hence a spirit of antagonism was engendered in the legislative power, while the executive power arose solely from the election.

Such is now again the case with the majority of the assembly—it throws its whole weight for a revision of the constitution, while there is no doubt but that the minority, which insists upon a repeal of the electoral law and adherence to the constitution, truly represent the will of the nation.

M. Lamartine, who is again a royalist, or, more strictly speaking, in the transition state, favors the revision, and with his usual weakness attempts to find a parallel in what he calls a revision of the American Constitution in 1791. He says that the American Constitution then, as the French Constitution now, had existed three years, and that revision had become necessary in order to evaporate the discontents against the existing one. Nothing short of a most imaginative poet could find any resemblance between the "articles of confederation" and the present Constitution of France, nor between the great and regularly convened convention which devised our constitution, and the assemblage of factionists who, elected by universal suffrage to act as an assembly under a constitution, seek to resolve themselves into a convention to destroy it and enact another. His ideas of the American Constitution are of a piece with those he expressed last year in his work:—"Atheism among the people," as follow:

"Washington and Franklin fought, spoke, suffered, rose and fell in their political life, from popularity to ingratitude—from glory to bitter scorn of their citizens,—always in the name of God, for whom they acted; and the liberator of America died, committing to the Divine protection, first, the liberty of his people—and afterwards his own soul—to his indulgent judgment."

M. Lamartine, from an obscure position, became, through the revolution of 1848, the first man of the Republic. He could not stand the test, and the Republic rejected him. When Bonaparte received 5,400,000 votes, Lamartine got 17,000. A peaceful continuance of the Republic offers him no chances, and he desires a "new deal." He is not satisfied with the hand dealt him any more than the other revisionists, and they "go in for stocking all round." We trust that the small minority of Republicans will remain firm, and that France will attain her great want of universal suffrage, and a constitution in some degree permanent.

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TEMPERANCE.

Clergymen and physicians have acted nobly and efficiently in the cause of Temperance. To the first is due the praise of having originated the movement, and the still greater praise of persevering in it through a period of more than twenty-five years, with earnestness and zeal. To the last the second honor is due, not so much for their public professional activity in the cause, as for their constant and efficient commendations of it in their professional intercourse with society. It is with regret I am compelled to confess that lawyers, as a profession, have taken no part in this most important cause. A few most estimable individuals have given it their active support and influence; but the great body of the bar has stood aloof from it, while it is notorious that a fraction, and by no means an inconsiderable one, has encouraged, rather than discouraged, intemperance. It is highly probable that this state of the case has arisen from causes incident to the different professions, rather than from any stronger interest felt by the clergy and physicians for the promotion of private and public virtue. It is emphatically the business of the clergy to be sentinels on the moral watch-towers, to ring the tocsin on the appearance of an enemy. This duty they have performed most faithfully and energetically. So, too, it is especially the business of physicians to attend to the health of the public, and of each within his bounds, to warn his customers of the injurious effects of intemperance on the human constitution. These two professions address the fears, the minds, and the consciences of men. But it is no part of the professional business of lawyers to watch over the morals or health of the public. In common with every other citizen, as individuals, each is required to do all in his power to promote the public good; but, professionally, his whole duty is confined to an exact and impartial administration of the laws of the land. It is not the lawyer's province to address the fears, the minds, or the consciences of men, with a view to persuade them to act correctly; but confident in his knowledge of the law, he imperatively dictates a course of conduct which must be pursued, or certain consequences become inevitable. Nor is it his duty, any more than it is the duty of every citizen, to prosecute for offences that come under his observation; for his duty begins only when a case is professionally brought to him.

In this country public opinion is, in a very great degree, the higher law. It controls legislation; and, if it cannot prevent, it may embarrass the execution of a law. In every matter, therefore, relating to a reform of inveterate habits, however pernicious, it is of the highest importance to secure a decided public opinion in favor of the necessity and measure of reform, before attempting to restrain them by coercive acts; for the cause must be injured if legislation should anticipate public opinion: consequently, the cause of Temperance has been admirably conducted by permitting clergymen and physicians to enlighten the public on this most important subject, before lawyers should commence active and energetic operations. Public opinion is now ripe for them; and although I will not say that a majority of the people is ready to sanction a law prohibiting the sale of intoxicating drinks, I certainly hazard nothing by asserting that nine-tenths

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of the people will sanction a rigorous execution of all the laws on our statute book relating to excise.

It may be supposed that lawyers can do nothing more for the cause of Temperance than clergymen and physicians, or any other citizens. In a sense, this is true. They have neither more moral influence, nor more persuasive eloquence, to lead men to the voluntary performance of duty. Nor is it to be expected that they will become informers and prosecutors; but there is a vast moral field open to them in explaining the laws, and in giving sound legal advice to the people, which will come home to their bosoms and consciences with more power than abstract moral influence, eloquence, informations, or prosecutions. The laws now on our statute books are not understood by one man in a thousand in our state. If they were—and temperance men should direct their energies to an observance of their proper execution—we should have little cause to lament the want of an act to prohibit the sale of intoxicating drinks, and we should soon see a reformation in taverns and public morals. If the lawyer cannot banish intemperance from our state, he can fence it in so that it will produce little harm, and the unanimous public voice will ultimately demand a prohibitory law for the sale of strong drinks.

If we cannot execute the laws now in being, how can we hope to execute a more stringent law—a prohibitory law—if it were enacted? The laws that are now in force are the very next thing to a total prohibition of the sale of intoxicating drinks, and, if executed according to their letter and spirit, the next step in advance must be a prohibitory law. In this paper I propose to examine the section exclusively relating to the license of taverns, and expect to make this truth apparent.

The 6th section of the act relating to Excise and Taverns is in the following words: "Licenses shall not be granted to any person to sell strong and spiritous liquors and wines, to be drank in the house of the seller, unless such person proposes to keep an inn or tavern, nor unless the commissioners are satisfied that the applicant is of good moral character, that he is of sufficient ability to keep a tavern, and has the necessary accommodations to entertain travelers, and that a tavern is absolutely necessary for the actual accommodation of travelers at the place where the applicant resides, or proposes to keep the same; all which shall be expressly stated in such license."

This language is so strong and clear, that it may be supposed it is unnecessary to explain it; and yet, it is a notorious fact, that it is universally misunderstood, or, if understood, disregarded, by the officers charged with its execution; and that the public, believing the practice of these officers to be in obedience to the letter or spirit of the law, has silently acquiesced in their practice.

The officers charged with the execution of the above-quoted law are, first—the trustees of villages; and, second, the commissioners of excise. Some corporations, as New-York, etc., have exclusive control of the matter; but the trust reposed in them, and the principles of the general law, are as applicable to them as to the trustees of villages and the commissioners.

The acts of incorporation of the villages of this state, confer on the trustees of these corporations the power to restrict the number of taverns to be licensed within the limits of their respective corporate bounds, to a certain number. They cannot designate who shall, or shall not receive a

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license, nor interfere with the acts of the commissioners of excise in any other manner than by confining them to certain limits; consequently, the only part of the above quoted section legitimately within the scope of their power is, whether "a tavern is *absolutely necessary for the actual accommodation of travelers*" within their bounds. This is precisely the subject-matter committed to their keeping, and nothing else. The deposit of this power in the trustees is the most judicious that could be made. Who could determine the number of taverns "*absolutely necessary* for the *actual* accommodation of travelers," so well as the trustees, and be responsible to the inhabitants for the manner of performing the trust? Who could be expected to discharge this most important duty so carefully, to exclude mere grog shops, and neighborhood pest-houses, as men elected to discharge this duty under the sacred responsibility of an oath, with the eyes of their constituents upon them sharpened by fears of riots, gambling, and every moral depravity?

The cautious words of the law prohibit the trustees from authorizing a license to be granted *in a doubtful case.* A tavern must not only be "necessary," but "absolutely necessary;" and not only necessary for future, contingent or possible travelers, but "for the actual accommodation" of the real customary number of travelers within their bounds. Thus cautious is the law. It does not permit the trustees to indulge in any speculation for the future; it gives them no discretionary power, but confines them to the single naked fact, whether a tavern is ABSOLUTELY necessary for the ACTUAL accommodation of travelers" then frequenting the place. If the trustees exceed the powers thus granted, they violate the law, and assume a heavy responsibility: And yet it is notorious that the trustees have been successfully solicited to authorize a larger number of licenses than the law and their oaths permit, on the unjustifiable ground of charity to landlords and their families; because, forsooth, if they should receive no license to make drunkards,—to corrupt the morals of our youth—to starve, and in various ways make wretched parents, wives, children and neighborhoods—they will be unable to maintain their families and bring up their children in the midst of corruption, and will lose the amount they have invested in their stands!! And again, the still more absurd reason has been successfully urged, that if licenses should not be granted to the customary number, the party rejected will do his nefarious business without a license, and the public will suffer the evil without receiving the amount required for a license!!! It is not necessary to waste time to show the weakness and corruption of these arguments, which would be a very easy matter; but, I ask, where is the power conferred on these officers to take such facts into consideration at all, even if they were just and proper appeals to their sympathy as men? All the power they possess is conferred by the act, all the provisions of which relate to the protection of the public, and not one to the protection of the tavern-keeper. Where, then, do they obtain the power to annul and disregard the statutory provisions, without the literal fulfilment of which the law expressly says, "Licences shall not be granted," and substitute others, all in favor of the tavern-keeper, at the ruinous expense of the public? I beg, nay, I demand, of them to show it, as well for the satisfaction of the public as for their honor.

The above remarks apply as forcibly to the commissioners of excise as to the trustees; but, the commissioners of excise have more duties to

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perform in this matter than the trustees, and, therefore, demand special attention. We have seen that the power of the trustees is confined to a prohibition to license more taverns than a specified number; but it by no means follows that the commissioners are bound to license the number thus authorized. They cannot license more, whatever may be the necessity; but they are bound not to license as many, if, in their judgment, they are not "absolutely necessary for the accommodation of travelers" in the village. They are sworn to do their duties according to their own sober judgment, and not by the dictation of others. The trustees have the power of fixing the outside number to which they may go, but not fixing the number to which they shall go, which is a matter the law has left to their judgments and consciences, as well as to the judgments and consciences of the trustees. But to enable us to understand the important duties of the commissioners of excise, we must examine them in detail.

It will be seen by a reference to the section of the act I have quoted, that five conditions are made necessary by the law, every one of which must be fulfilled to the letter, or, in the words of the law, "Licenses shall not be granted" by the commissioners. These conditions are—First, "That the person proposes to keep an inn or tavern"—not a mere groggery, but a tavern, in a legal sense, for the accommodation of travelers. I will not stop to inquire into the general practice of commissioners in relation to this condition or provision, because it is notoriously disregarded or overlooked. It is true that this condition is rather a promise made by the applicant, to be fulfilled if he should get a license, than a condition precedent, to be investigated by the commissioners. But, nevertheless, respect must be paid to it, and a conscientious discharge of duty requires that no license should be granted without a confidence that it will be fulfilled. And yet is it not notorious that licenses are granted to parties whose real intentions are known to be, not to keep a tavern, in a legal sense, but a mere groggery and pest-house of a neighborhood? Is there a town in the state in which such establishments cannot be pointed out? But let us pass this comparatively unimportant matter, if any duty can be unimportant which is enjoined under the solemn sanctity of an oath, and which relates to the morals of our citizens, and pass to the next condition or provision, which is—Second, "nor unless the commissioners are satisfied that the applicant is of good moral character." Here we have a condition requiring the positive knowledge of the commissioners. The applicant must be "of good moral character," of which the commissioners must be "satisfied" by proof, if they should not personally know it. Negative character is not sufficient, for the law requires it to be *positively* good: and it was wise in the Legislature to require a positively good character in a man appointed to entertain travelers—strangers—whose comfort and safety, in money and person, are in his keeping for a time. The term good moral character is understood to be that against which no particular vice is chargeable. He must neither be a drunkard, a bawd, a cheat, a common liar, a gambler, nor any of those things which the common-sense of the community asserts to be vile or infamous. How many tavern keepers in our state would have been refused a license this year, if the commissioners had conscientiously respected this most important provision of the law? How many of the old tavern keepers, who have for years been growing rich by violations of the law,—selling liquors on the Sabbath, selling at all times to minors, paupers and apprentices,—encour-

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aging and engaging in various modes of gambling, and permitting obscene exhibitions and practices on their premises, would have been refused licenses by commissioners sensible of the weight of responsibility of their official certificate, under oath, that these men are "of good moral character," as they are compelled to do when they sign the license? I contend, and at least every lawyer will support the position, that a tavern keeper of a year's standing, has a moral character as a tavern keeper which may be entirely distinct from his character as a citizen, and which should be the subject of special attention by conscientious commissioners. He may be a man of strict probity as a citizen, and, as such, maintain an excellent character; and, as a tavern keeper, violate every provision of the law, and maintain an infamous character, and, consequently, not entitled to a license from commissioners who are compelled to certify, under oath, that he is "of good moral character." But it is unnecessary to dwell on this most important provision, and I, therefore, pass to the next condition or provision of the law, viz:

Third, "that he is of sufficient *ability* to keep a tavern;" and the next condition, viz:

Fourth, "and has the necessary accommodation to entertain travelers," which I will notice in conjunction for the sake of brevity.

The word "ability" has reference to pecuniary means, and signifies that he has something more than the mere outfit for the "necessary accommodation of travelers" which immediately follows. These provisions exhibit the minute and careful circumspection of the Legislature in conferring the power to grant tavern licenses, by surrounding it with all the guards a far-sighted prudence could suggest. The applicant must not only be "of good moral character," but he must have the "*ability*" to continue so, and, at least, be above the necessity of immediate temptation to do wrong; in other words, he must have the "ability" to keep a tavern in a legal sense—to wait for travelers—and not be under the necessity to corrupt and sponge on a neighborhood to meet his daily wants. The 4th provision confirms this construction, because it proves that the entertainment of travelers is the chief, nay, only design, in licensing taverns. The Legislature knew that they are sometimes useful accommodations to neighborhoods; but they are never so useful as to be indispensable, and are a hundred times more pernicious than useful, unless all the provisions of the law are strictly observed or enforced. But of what avail is it for the Legislature to enact laws so carefully, if the provisions remain a dead letter on the statute book, and the commissioners license without regard to them?

I come now to the last condition, which, if it is possible for one to be of paramount importance where all are most solemnly enjoined under the highest sanction known to the law and the consciences of men, is emphatically the most important of any enacted; it is,

Fifth, "that a tavern is *absolutely* necessary for the actual accommodation of travelers at the place where the applicant resides or proposes to keep a tavern."

This condition or provision, although it is the last in the series applicable to the tavern keeper, is the first in importance and consideration for the commissioners; and, as I have said, the only one for the trustees of the villages. All the previous conditions relate to the personal fitness and ability of the applicant to keep a tavern; but this last is fundamental, independent of fitness and ability. He may have all the legal requisites

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in the highest degree; but unless "a tavern is ABSOLUTELY necessary for the ACTUAL accommodation of travelers at the place where the applicant resides or proposes to keep a tavern," the commissioners have no more right to license him, than they have to resolve themselves into a legislature, and prescribe conditions for themselves, which, in effect, though not in form, is what they have done for years. I have also said that it should be the first in consideration; for as it contains the fundamental principle of the law,—the object and end of its enactment;—and as the naked fact, whether "a tavern is absolutely necessary for the actual accommodation of travelers at the place where the applicant resides or proposes to keep a tavern," can easily and speedily be decided, without involving any personal or irritating investigations, it should be disposed of by the proper authorities, before they take into consideration "moral character," "ability," and "necessary accommodations" of the applicant. But, most unfortunately for the public, so far from being first considered by commissioners, it is not only not considered last, but, generally, is not considered at all. The positive proof of this most lamentable fact is before the eyes of every man in the state, competent to judge, who will cast his eye over the town in which he resides, and he will see that from one half to three fourths of the taverns have been licensed without any reference to this important provision, and most of the remainder without regard to the other provisions.

I have now arrived at the last solemn clause of the section quoted, a clause which, though it does not form a condition to be fulfilled by the tavern keeper, forms a most solemn duty to be fulfilled by the commissioners of excise. It is a certificate given by them, in their official character, and under their official oaths, that all the provisions of the law, viz.:—that the "person proposes to keep an inn or tavern"—that he "is of good moral character"—has "sufficient ability to keep a tavern, and the necessary accommodations to entertain travelers"—"and that a tavern is absolutely necessary for the actual accommodation of travelers at the place" for which the license has been granted,—have been fully considered, and ascertained by them to be just and true in every respect. This is precisely the import of the language of the law. The words are: "*all which shall be expressly stated in such license.*" I can conceive of no official duty more clearly defined, and of a more solemn character. The Legislature has contrived to embody in this short section all the duties of commissioners relating to taverns, expressed in the clearest terms, and surrounded by the most sacred sanctions. Not satisfied with enumerating the express powers granted, and by such enumeration excluding all other considerations—I say, not satisfied with a presumption that the commissioners *will do their duties because they are prescribed by law*, the same section *commands* them to certify "in such license," that they have bestowed the required consideration on "*all*" the duties enjoined on them. What could be done more if licenses were to be granted at all? It only stops short of prohibiting the sale of intoxicating drinks.

I ask every commissioner of excise in the state, whether he would be willing to appear in court, in the trial of a cause, and solemnly swear that each item of the law was, in every instance of license granted, fully considered and found to be true? Let me suppose a case which might readily occur. A tavern keeper is indicted for some offence, in the trial of which it will be of the highest importance for him to prove that he

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is, or at least recently was, a man "of good moral character." His lawyer tells him so, and asks him to subpœna the best man in his neighborhood for the purpose. The tavern keeper is at a loss to find them, and tells his lawyer of his difficulty, who asks him, "have you a license?" "Yes." "Well, subpœna the commissioners of excise, who are men of high characters, and have officially sworn that you are 'of good moral character,' and will unquestionably testify to the same thing in court." It is done; and the commissioners are put on the stand. It is probable there is scarcely a commissioner in the state who might not be placed in a very unpleasant and awkward predicament under such circumstances.

I have now dissected this very important law, and have conscientiously directed attention to the duties of officers acting under it. This law has been administered for many years by some of the best men among us, and often by sound lawyers, notoriously without attention to its requirements, so far as the safety of the public is concerned. When and how this exceedingly loose practice, under this plainly and accurately expressed, and most rigid law, originated, is of no importance. We know it has prevailed long enough to have obtained an influence over men whose moral worth is above suspicion. The power of precedent over human conduct is so great, that we need not be surprised that this practice has been so generally followed without a suspicion of error; and, consequently, our present officers are not chargeable with a wilful neglect of duty. It will be otherwise when their attentions shall have been specially directed to the subject.

Nothing is more common, and nothing is more erroneous and pernicious, than for people to regard official oaths as of less sanctity than oaths administered on the trial of causes in court. All legal oaths are of equal sanctity; but if any should be more sacred than others, they should be those taken by officers to whom is entrusted the moral and physical interests of the people, whose decisions are final, without appeal, and beyond correction; but with difficulty, delay, and vexation, I know of no officers in our country of as much consequence to society as justices of the peace, when considered in all their relations, and viewed as a vast body of men disposing of the every-day controversies of neighborhoods, and promoting peace or strife, and virtue or vice, as magistrates and commissioners of excise. The good or bad acts of a single justice are, comparatively, small matters to the state; but the good or bad acts of twenty thousand, (the probable number in the state,) scattered in every direction, and in every neighborhood, sensibly controlling, or, at least, influencing, the morals and peace of every family, are matters of infinitely more importance to the community, than the official conduct of any governor of the state, or President of the United States.

I now come to the main object of this communication. It must be evident to every reflecting man who has felt an interest in the cause of Temperance, and has had opportunities for forming a correct judgment respecting its present position, that the means hitherto applied to promote it, although they were essential preparatory measures, are not those which will command final success. Persuasion is exhausted for the want of subjects to be persuaded; for I contend that a vast majority of those who are not now temperance men, are not open to conviction on the subject, in the manner and form it has hitherto been urged. The influences which have closed their minds are as various as the pursuits and objects in life

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of the various parties. Nevertheless, it would be unfair, nay, unjust, to class all those who have stood aloof, as anti-temperance men. All who are not with us, are not against us. There is a middle, a neutral ground, although very zealous advocates will not acknowledge it. This middle, this neutral ground, I propose to occupy with every citizen friendly to the support of law and order, without any direct reference to the temperance cause, beyond what is recognized and enjoined by law, although it will be evident the cause must be eminently, but incidentally, promoted by the measure. It will be advisable to keep this movement altogether distinct from the temperance movement, as the mode of operating in the two are wholly different. It is expected that every temperance man will become a member of a society to enforce the excise laws; but there are many men who will cheerfully join a society to execute the law, who would not be willing to join, and never have joined, a temperance society.

From what I have said, it is evident that it is of the highest importance the citizens generally, and the officers having the power to authorize and grant licenses for the sale of intoxicating drinks, should possess a correct knowledge of the laws relating to excise, and the regulation of taverns and groceries, and the obligations arising from them. Thousands of trustees of villages and commissioners of excise in the state, good, honest, conscientious men, could not be induced to violate any known duty, and in respect to whom it will only be necessary to call their attentions to the object to obtain the required corrections. A comparatively small number may be of a different character, and might, in particular places, continue the evils of which we have so much reason to complain, if there were no checks to restrain them. A severe check would be obtained, if a critically correct knowledge of the law, and of their duties, were familiar to citizens; for they would then be regarded as men only to be governed by the strong arm of the law, which would speedily be invoked for their chastisement. It is a common error to suppose that trustees of villages and commissioners of excise are not answerable, in law, for malfeasance or nonfeasance of their duties. They can soon be undeceived, if they should obstinately persist in error, if men should be found in their neighborhoods, —I will not say of sufficient moral courage to correct evils affecting the moral and physical condition of the neighborhood, but of sufficient patriotism to vindicate the supremacy of the law from the pernicious usurpation of petty despots.

Other features of the law have not been noticed, because there is no misconception respecting them; such as selling liquors on the Sabbath, and selling at all times to minors, paupers, and apprentices, by tavern keepers. Also, selling liquors without license by public-house keepers, groceries, beer shops, &c. Against these we have a prohibitory law in as strong terms as if alcohol were wholly prohibited to be sold in our state; and yet I should not hazard much by saying, that the number of these establishments in our state nearly equals the number of taverns licensed,—a fact which does not speak loudly in praise of temperance advocates and the temperance reform.

I can think of no better method of remedying these evils, than to organize societies in every village and town in the state, to execute the laws relating to excise, and the regulation of taverns and groceries; an outline of a constitution for which I subjoin, as the shortest mode of explaining what I think necessary to give them the requisite power and energy to execute the design:

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CONSTITUTION.

ART. 1.—This society shall be called "The Society of ———," in the County of ———, for the execution of the laws of the state relating to excise, and the regulation of taverns and groceries.

ART. 2.—The officers shall be a President, Secretary, and Treasurer, who shall be elected annually, on the first Monday in ———. A vacancy occurring from any cause, the Executive Committee, hereinafter mentioned, shall fill such vacancy, to hold until the next annual election.

ART. 3.—The standing committees of this society shall be an Executive Committee of five persons, of which the President and Secretary shall be members ex-officio; a Finance Committee of five persons, of which the Treasurer shall be a member ex-officio; and a Publication Committee of three persons; all of whom shall be appointed annually by the President, unless the society shall resolve to elect them; in which case, the President shall fill any vacancies, to hold until the next annual meeting.

ART. 4.—It shall be the duty of the Executive Committee to call on the trustees of villages, and the commissioners of excise, or, at their option, to attend these bodies when in session, and advise with them respecting the execution of the excise laws. It shall also be its duty to prosecute every offender against whom sufficient evidence can be obtained, for every violation of said laws, to the utmost extremity; but it being the object of this society to correct evils, not to inflict punishments, the committee may forgive a first offence, provided the committee should be perfectly satisfied that the party will strictly observe the provisions of law thenceforward. And, whereas most of the evils, for the remedy of which this society is instituted, have their origin in the careless administration of the law in authorizing and granting licenses, therefore it shall be the special duty of this committee, to pay particular attention to the doings of these bodies in authorizing and granting licenses, and, if need be, to take the necessary legal measures to compel them to act according to law.

ART. 5.—It shall be the duty of the Finance Committee to provide the ways and means of obtaining the necessary funds required by this society, to collect the same from the various sources agreed upon, and pay the same to the Treasurer. It is desirable that the sum in the treasury shall at no time be less than fifty dollars, so that the society shall always be in a condition for energetic action, when required. No money shall be drawn from the Treasurer without a resolution from the Executive Committee, or Publication Committee.

ART. 6.—It shall be the duty of the Publication Committee to publish in pamphlet form, if need be, in periodicals, such matter as may, in the opinion of the committee, be a clear and correct exposition of any law relating to excise, and the duties of officers acting under such law, and distribute, or have distributed, such publication to every voter in the village or town in which the society has been instituted. It shall also be the duty of said Publication Committee, at least once in every three months, to procure some eminent lawyer to come to said village, or town, to deliver a public address on the subject of the excise laws, and the duties of officers acting under them; and to agree with him, beforehand, in respect to the amount to be paid to him, (if he require more than the payment of his expenses.) The committee shall also, if practicable, obtain a copy of every such address, to be kept on file, and, if need be, published.

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Art. 7.—A majority of each committee shall be a quorum for business.

Art. 8.—A county society may be organized, the members whereof shall consist of a delegate from each village and town society, to superintend the execution of the excise law, and to attend to such matters in relation thereto as may be of general interest in the county, and the president of each village and town society shall be the delegate representing said society. Such county society shall meet at the seat of justice on the first day of the term of every court of sessions, and the Finance Committee of each village and town society, shall, by resolution, determine the amount to be contributed by such society to the funds of the county society, (if the same should be required,) and notify the president thereof. The said county society shall adopt a constitution in harmony with this constitution.

Art. 9.—A state society may also be organized, the members whereof shall consist of a delegate from each county society, to attend to such matters relating to the excise laws as may be interesting to the state at large; and the president of each county society for the time being, shall be the delegate to said state society. The said state society shall meet annually, in Albany, during the session of the legislature. And the finance committee of each county society shall, by resolution, determine the amount to be contributed by such society to the funds of the state society, (if the same should be required,) and notify the president thereof. The said state society shall adopt a constitution in harmony with this constitution.

Art. 10.—The secretary of each village and town society, and the secretary of each county society, shall, before the president thereof shall proceed to the respective bodies to which he is the delegate, present to said president, in writing, a full narrative of the proceedings of their respective bodies, in order that the said delegate may present to the society in which he is a representative member, all the local information necessary for the perfect action of such society.

I appeal to every citizen in the state to say, whether it is not high time that some coercive measure should be adopted to vindicate the law in the matter I have discussed. I most earnestly appeal to the bench and the bar to give their powerful assistance in this great and most important struggle. They can easily and speedily secure the victory without sullying their ermine, or degrading their robes. If judges, in their charges to grand juries, would notice the duties of officers, the obligations resting upon them by their official oaths, to become thoroughly acquainted with their duties, that they may discharge them honestly and conscientiously; if grand juries would present the careless and illegal administration of the excise laws as intolerable grievances, and the cause of many of the vices and crimes of society; if lawyers would join the societies in their respective places of residence, instituted to superintend the execution of the excise laws, and would explain those laws, and the duties of trustees, commissioners of excise, &c., in respect to them; and if citizens who desire to maintain the integrity and supremacy of the law, joined by those who are also the advocates of temperance, would show a determination to make an example of obstinate offenders—in one year we would see a most thorough and gratifying reformation, and ninety-nine-one-hundredths of the

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complaints against the venders of strong drinks would disappear. From innumerable pulpits and secular *fora* everything has been done to reach the consciences and the judgments of men for a quarter of a century, which has been answered by the scorn and contempt of venders of strong drinks and those they have corrupted. Parents, widows, orphans, wives, mothers and children, have implored them not to fasten on them the extreme and hopeless wretchedness of shame, misery, want and crime, and their woes have been met by derision. The legislature has enacted stringent and wholesome laws for the protection of the public, which are altogether disregarded by public officers and venders of liquors for their own private benefit, at an enormous expense to the public. Establishments without licenses are prohibited from selling intoxicating liquors, and yet there are thousands of these pandora boxes in the state, from which are issuing the diseases, crimes and distresses of society. Are we men,—I will not say freemen,—Americans,—for we are actually in bondage to alcohol sellers and drinkers,—but are we men, and submit to the domination of a class of men who recognize no reason opposed to sensual gratification; no ties or impulses opposed to self interest; and no legal obligations opposed to their wills? I appeal, therefore, to the only power that can tame them—the bench and the bar can make them gentle and obedient by a very little effort, particularly if citizens do their duties in villages and towns.

Let me not be understood as desiring to supersede the advocacy of temperance on persuasive principles. Would that all men were so conscientious and intelligent as to be reached by facts and arguments, when laws, coercion, could be safely abolished; but so long as many men are governed by prejudice, pride, passion, selfishness and consciences, more frequently less than equal to their meagre intelligences, coercion must be applied to cases reason cannot reach. If this latter class of men are not a majority of our citizens, they are the noisy, reckless, bullying minority, who constantly attempt to evercrow peaceable men, and force silence through fear of unpopularity, and, sometimes, of violence to property or person.

TWILIGHT.

How many thousands at this blessed hour
  Are looking forth upon the lingering west,
From peopled town, lone cot, and ancient tower,
  T' enjoy, like me, its loveliness and rest!
  And 'tis a thought that makes me truly blest—
That unto *all* the glorious scene is given—
That the green earth, cool air, and deep blue heaven
  Impart a common joy, a common zest.
There is no breeze upon the stirless tree,
  Shining in glory of the sunset ray;
The small gray gnats are dancing merrily;
  With clustered speedwell all the path is gay:
And such a gentle spirit fills the air,
'Tis as the world itself were kneeling down in prayer.

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SYDNEY. *

WHEREVER liberty is known, the name of Algernon Sydney is a household word. Undoubtedly, greater men may have played greater parts, but few have lived more purely than he: and even had his intellect been contracted, his mission would have been accomplished. He would have taught the world what it is to die for a principle; and what to our mind is far more hard, and consequently a higher glory, he lived for one. But Sydney was a man of rare mental endowments—a ripe scholar—a deep thinker—a writer—a practical statesman. It is from the contemplation of the lives of men like this that the world grows wiser and better. The vulgar notion that interest is predominant, and that every feeling is lulled to repose when pelf is the narcotic, is seen to be a delusion. This earth is not the scene of universal selfishness. Daily, though unseen, there are millions of acts of fortitude, generous abandonments of self—healthy, bold and good deeds, to prove mankind, if not positively saints, at least are not a herd of callous, hard-hearted swindlers—and no little of this is owing to the lives of the good men who have gone before us—"the salt of the earth." For the virtues of the great man, when he has descended to the grave, leaves behind him a trace of bright light to shine upon and guide his fellows for ever.

Independently of the contemplation of such a character, for itself—there are events connected with the career of Algernon Sydney which add an interest to his life. He lived in stirring times—and contributed his quota to impress the events of his day. Born in 1622, under the 1st James, then alternately promising concessions, and declaring the king's prerogative should be uninjured,—Sydney vindicated his claim to patriotism on Marston Moor, and lived through the Protectorate to die on the scaffold, under that cold-blooded, clever debauchee, the second Charles. But although his name appears in every history, and linked with accusations, which we shall treat upon hereafter, and which, let us add, parenthetically, may lead those who have taken them on trust to think that our opening sentences are not warranted by facts—in spite of these charges, too, being debatable points, little in the shape of biography of Sydney has appeared; and it has remained for the United States to supply this blank with a work of uncommon merit, written in a style modest and correct, and as far removed from the flash tinsel, which some crack essayists of the day see fit to use, as the correctness of the historical facts is distant from the mode of the said crack essayists in writing history, not as it is, but as they wish it to be.

Nothing original on this subject has ever been published in our recollection on this side of the Atlantic; and even in England only a slight sketch accompanying Stephanoff's well-known painting, (which we know only by the engraving,) by Richard Chase Sydney, came forth at the time of the production of the picture. Previous to this, Mr. Meadley published a work in 1813, and generally this fertile field for the biographer has been left to strange and unaccountable neglect, excepting incidental mention of his name in histories of that period.

We have already made some notice of the work of Mr. Van Santvoord,

* Life of Algernon Sydney, with Sketches of some of his Contemporaries, and extracts from his Correspondence and Political Writings. By G. VAN SANTVOORD. Charles Scribner, New-York.

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and now purpose availing ourselves of his labors, and so presenting a sketch of the portrait:

Algernon Sydney was the grand-nephew of Sir Philip Sydney, the author of the old romance of Arcadia, which would be forgotten except for the greatness and virtues of its author—one of the rare instances of men perpetuating their works in opposition to the general law. And in order to show the stock from which Algernon sprang, it is well to mention that when Elizabeth, in her forty-sixth year, entertained a "disgraceful inclination" to receive the proposals of the young Duke of Anjou, Sir Philip, with more feeling than policy, and with an honest disinterestedness, addressed her a remonstrance against the match, which the lion-hearted Elizabeth never resented. His brother was created Earl of Leicester by James 1st, and it was the son of the last earl from whom the subject of this sketch sprang. Algernon was the second son.

When he was ten years of age, he went with his father to Denmark, at which court the latter had been appointed an ambassador. In a few months he returned again to England, but in 1636, his father being appointed ambassador to France, he accompanied the earl thither. He remained several years abroad, until his nineteenth year, and traveled over Europe, acquiring most of the European languages. Indeed, his education appears to have been conducted with great care, and to have been personally superintended by his father. Such care on such a soil was not lost—knowledge of books and men, even in one so young, worked their effect, and his name traveled out of the circle in which he was moving. The army was then the field to which the patrician youth naturally turned, and the Earl of Leicester endeavored to obtain a commission for his second son in the Dutch service. The application failed, and Algernon accordingly returned with his father to England, in 1641.

Even at this day there is no part of the common history of the United States and England which has more interest than the memorable struggle between the Long Parliament and Charles the First. There are few well-informed students of English history, "says a great writer,* speaking of that Parliament,—who, with fearless and frank admissions of the errors of this illustrious assembly, do not pause with emotion at the mention of its name." And if we, two centuries after the actors were on the scene, yet have the heart touched with the narration of these struggles, partaking even too often of the passions and the prejudices of the times, how great must have been the emotions of a generous, ardent youth, entering on the stage, hearing the bold eloquence of the Parliament, and the loud complaints of the people, and feeling, too, the grievances under which England groaned!

It was evident new guarantees for the liberty of the subject were called for. Those who had clung to the belief that the faults of Charles' government had sprung from evil counsels, now felt that the king had but one desire—to reign absolutely. The old laws of the realm stood in no way in his path. Parliament he feared, and hated even as obstructions. Clarendon even says: "those foundations of right by which men valued their security, were never, to the apprehension and understanding of wise men, in more danger of being destroyed." Monopolies and exactions were the order of the day. Indeed, with courtiers and privy counsellors,†

* Foster. The Statesmen of the Commonwealth of England. A book, were liberty banished from the world, in which sufficient elements exist for its recuperation.

† May. Hist. Parliament.

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the liberty of the subject was a jest. The very term would raise a laugh —as hearty as the refined exquisites of Whitehall would indulge in.

But the turn of the tide came: the entire Scottish people were the first to rise. The mass, to them, would have been as palatable as the liturgy, which Laud would have forced upon them. The English government, vacillating, and unprepared, could adopt no settled plan of action without money—without courage to meet a Parliament—without the boldness to make further exactions from the people—they hesitated between force and submission. There were, indeed, the Catholic gentry, who, on the strong appeal of the Queen, came forth with contributions, but the sum thus raised in conjunction with the other means of revenue, was quite insufficient. But a further project existed, which, had it been carried into effect, might have changed the color of the events which followed—a project worthy of the Stuart dynasty, viz.: by the aid of Spain, to raise 10,000 troops in Flanders, and to obtain a loan from that power. But the Spaniard recollected the bad faith which Charles had shown, and declined the offer with cold contempt.

The disgraceful treaty of Berwick followed, the natural result of such a state of things—and affairs became more complicated in England. In Ireland, it is true, Strafford's iron rule had destroyed every sign of opposition. All was compliance—submission, and devotion. The volcano was silent, but the fires did not smoulder the less deeply. Wentworth had come from Ireland and counselled a Parliament—not a Parliament in which Englishmen had met of old, and spoken boldly for their rights —not one to legislate and control—but a mere meeting to grant subsidies, and to carry up loyal addresses. Indeed, it was a critical time. Scotland was again in the field—and the ship-money and loans of England were collected daily with more difficulty.

The Parliament of 1640 met, only to be dissolved. No error was more grievous than the hasty conduct of Charles in this particular—and it was the turning point with the King's popularity. Those who led public affairs felt that the hopes they had entertained for eleven years, were now to lead to action. Pym and Hampden, and others, had frequent meetings with the Scotch Commissioners in London. The King was powerless—for his exchequer was exhausted; and in spite of his hatred of the very word—a Parliament was to be summoned. To this strait he was forced. Strafford, owing to the mutinous spirit of the English forces, had retreated before the Scotch from Durham, and fell back upon York, after the affair at Newbourne. At York, the King called a council of Peers—but this body only met to receive petition upon petition for a Parliament. Reluctantly was Charles driven to issue writs—and on the 3d of November, the memorable Long Parliament met.

On the 11th of November, Pym rose in his place, and moved the impeachment of Strafford. Previous to addressing the House, he ordered the doors to be locked. For four hours was the debate thus conducted; the anxiety of the loiterers outside was intense; but the doors opened, and Pym, at the head of 300 members, proceeded to the House of Lords, and there impeached the Earl of Strafford. He died on the scaffold. Of this man, great in his intellect—in his energies—in his courage—we can here only quote the words of Hallam, for it is not our province to write of him—although it is tempting to do so—for there is a bright side to the picture:—"It may be reckoned a sufficient ground for distrusting any

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one's attachment to the English Constitution, that he reveres the name of the Earl of Strafford."

We have mentioned these preliminary facts, in order to give some idea of the emotions which checkered Sydney's youth. The characters of men are colored by the events which happen around them. The strongest mind is affected by associations—and there is no schooling like that of great incidents. But a few words must be devoted to another consideration. Sydney all his life was inimical to the Church of England. Indeed, he was opposed to every phase of Church government. Nor is this to be wondered at. Laud had changed the hearts of the half of England. Abbot, his predecessor, a man of mild rule—with feelings of a somewhat bigoted character against Popery, and a strong bearing towards Calvinism, allowed things to take their course, without urging on those clergymen, whose Puritanism led them to object to some ceremonies of the ritual. But Laud wanted conformity—and not simply that which the founders of the Church of England desired, but with sundry Popish innovations to make them doubly objectionable. Even the sports of the people were to be controlled, and certain pastimes were named for them to indulge in after evening service. The appearance of the Church was altered. Pictures and crucifixes were set up—the communion table was called an altar—low obeisances were made to it. The capes of the clergy were embroidered. The eucharist became, as now, the great question of belief. The doctrine of the real presence being received—celibacy of the priests was inculcated, and the mild, evangelical, and philosophical tenets of the Church of England, as they appeared at the Reformation, became changed into a sort of semi-Popery—to which persecution was allied, to give the crowning stamp.

The custom had been since the Reformation to recognize the Dutch and Huguenot Churches as affiliated branches of the English Church. But Laud denied the affinity; and even the foreign churches in London were visited by this pestilent ecclesiastic for want of conformity. That Laud's subsequent execution by the Parliament was a crime, none can deny. But it is regretted generally, only as an act of injustice by an assembly to whom the world owes so much for the advancement of liberty. Indeed, no Protestant, in spite of the gray hairs of Laud, can extend him sympathy. He would have made England a land of bigots and of slaves—to be ruled by priests, whose doctrines would have been enforced by the pillory and the scourge, instead of holding as a guide the precepts of Jesus Christ.

Nor was Sydney's father exempt from some little persecution. The English ambassador had hitherto attended the Huguenot chapel at Charenton. But Lord Scudamore, the predecessor of Leicester, had declined doing so; and in order to propitiate Laud, had opened a chapel of his own, "got up" with due effect as to altars and pictures—with the various *et ceteras.* When the Earl of Leicester was about to proceed on his mission, he had a conversation with the prelate, and asked his advice as to his course of proceeding. Laud would not give it; but plainly intimated that he preferred the course Lord Scudamore had taken. The earl thought otherwise: and he had many reasons to think "that for his going to Charenton, the Archbishop did him all the ill offices he could to the king." These facts could not but be known to his son, and tended no

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little probably to establish his dislike of any thing like control in matters of religion.

In times like these, Sydney came back to England. Strafford had just suffered the penalty of his crimes; and the nation was erect in defence of its liberties. Ireland, after the death of Strafford, had been governed by two of the lords justices—Parsons and Borlase—men not equal to the emergency; and soon the rebound of Strafford's coercive government took place. A rebellion broke out in October, 1841. The design was to massacre the Scotch and English in Ulster. The army in Ireland scarcely exceeded three thousand men, and the Ulster colony was unable to make head against the rebels, owing to the loss of those who had perished in the massacre. Of the number of Protestants that were murdered, it is hard to give any account. Sir John Temple reckons it at three hundred thousand; Clarendon estimates it from forty to fifty thousand; and Sir William Petty at twelve thousand.

In this crisis of affairs Lord Leicester was appointed to the government of Ireland. But causes unexplained, delayed his departure. Accordingly he sent out his eldest son, Lord Lisle, in command of a regiment, to the scene of action; and Algernon Sydney, then in his nineteenth year, commenced his military career in command of a troop. In 1642 the king was at war with the Parliament, and the war in Ireland was one of secondary importance. Still Sydney remained there till 1643. His father, however, never assumed the government; for having joined the party of the king, he was prevented from embarking, and eventually was deprived of his office.

If we are to believe Sydney's dying declaration, even at this earlier period of life he felt strongly on the questions of the day. In this he asserts, that from his youth up he endeavored to uphold "the common rights of mankind, the laws of the land, and the *true Protestant religion*" (manifestly thinking of the difference between that and Laud's innovations) "against corrupt principles, arbitrary power, and popery." The fact of his employment on military service in Ireland, is by no means any criterion of a leaning to the king's side; for both parties alike wished to subdue the insurgents. Indeed, on their landing in England, the brothers were treated with suspicion by both parties. At Chester their horses were taken from them by the royalists, whence they returned to the coast and put again to sea. At Liverpool they were detained by the Parliamentarians, who sent them prisoners to London.

Sydney at once joined the cause of the Parliament, and the Earl of Manchester gave him a troop of horse in his regiment. The campaigns of that year, 1644, and the fight of Marston Moor, rendered the king's cause desperate. In these, Sydney took his part with courage, and was wounded at Marston Moor so severely that he was sent up to London for the cure of his wounds. Unable from his consequent lameness to continue active military duty, he was appointed Governor of Chichester.

When the revision of the Parliamentary army was made after the self-denying ordinance, and Fairfax was appointed General-in-Chief, Sydney was commissioned as one of the twenty-six colonels. But he still remained in command at Chichester. Nor does he appear again to have taken the field. In January, 1646, he proceeded to Ireland with his brother, who had been appointed Lord Lieutenant. Sydney held for a brief period the office of General of the Horse and Governor of Dublin,

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but political intrigue led to his displacement. On his return, a significant vote was passed in acknowledgment of his services, and he received the thanks of the House of Commons. He was afterwards appointed Governor of Dover.

Sydney does not seem to have been in the house at the time of "Pride's Purge." But that he had the confidence of the Republican party is evident, from being one of the one hundred and thirty-five commissioners named to try the king. His views of this difficult question are best explained by himself.

"I was at Penshurst when the act for the king's trial passed, and coming up to town, I heard my name was put in. I presently went to the painted chamber, where those who were nominated for judges were assembled. A debate was raised, and I did positively oppose Cromwell and Bradshaw and others who would have the trial to go on, and drew my reasons from these two points: First, the king could be tried by no court. Secondly, that no man could be tried by that court. This being alleged in vain, and Cromwell using these formal words: 'I tell you we will cut off his head with the crown upon it,'—I replied, 'you may take your own course, I cannot stop you, but I will keep myself clean from having any hand in this business,—and immediately went out of the room and never returned. This is all that passed publicly, or that can with truth be recorded or taken notice of. *I had an intention* which is not very fit for a letter."

In fact, although Sydney's views were republican, it is thought he wished only for the deposition of Charles. Now removed from the events which led to it, and free from passion, posterity are nearly unanimous in regarding this execution with that of Louis XVI., at a later period, as great political blunders. Yet some allowance ought to be made for the feeling, that there were none who had the least reliance on the king's words. "I wish," said Thomas Scot, some years later, "all had heard the grounds of our revolutions in that particular: I would have had our consultings *in foro* as anything else was. It was resorted to as the last refuge." The result proved it unwise—but the act was one carefully debated. Abstractedly there are few who will deny that there are cases which might happen, when an outraged people would be justified by the laws of God, and by the stern principles of laws, in punishing even to death a ruler who had abused his trust. In the form of government in the United States, it is not likely such a contingency can arise—the constitutional check is too great. But in monarchies, where every temptation exists to centralize authority and increase power, it is plain that the king ought to be amenable to the laws as any other man; and more than any other in the realm to the immutable principle of public morality. To assert that Charles was not open to conviction under any *lex scripta*, amounts to nothing. Nor can it be affirmed, because he evinced great fortitude and magnanimity, and redeemed by his death much that could be urged against the man, that the king was free from crime. There is scarcely an execution, even of the most depraved criminal, in which the better nature does not appear. There is no inference to be drawn here. The historian must look to the life, the acts, the conduct of the king. Charles set at defiance the established laws of the realm. On the very scaffold he affirmed that the people's right was only to have their life and goods their own—"a share in the government being nothing pertaining to them." This policy had not even the questionable phrase of a "paternal despotism." It was hard,

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arbitrary and exacting. He loved only to rule by his own will—and for this cause he died. He was a martyr to his love of absolute power—his want of honesty—his want of truth.

But it is fair to affirm, that with his judges, and perhaps without a knowledge of the fact existing in their hearts, there was a deep spirit of vindictiveness. And men's eyes were so blinded, and their passions so strong, that they cheated themselves, and called the deed one of justice. All admit that it was inexpedient. Who will assert, after deliberate inquiry, that it was unjust? For our part, we cannot say that we grieve the deed was done. For it was a lesson written in blood, it is true—to princes forever—that they are not delegated by Heaven to misrule—but that even on earth there is a high court of human justice, at which even they must answer.

Sydney remained an active member of Parliament until Cromwell's forcible ejection of the members. Previous to that high-handed outrage, an incident occurred, which shows his uncompromising character. Mr. Van Santvoord thus relates it:

"It soon, however, became apparent to the statesmen of the Commonwealth, that an executive power of some description was necessary in the new government. For this purpose a committee of five was appointed to name a council, to consist of forty persons, to act as the executive power, whose authority was to continue for one year. The new council was installed on the 17th of February. The illustrious Bradshaw was chosen its president. Besides Cromwell, it comprised nearly all the eminent republican leaders of the time, Ireton, Ludlow, Marten, St. John, Hazelrig, Harrington, Scott, Lisle, and Hutchinson. Some of the nobility were also members; the Earls of Denbigh, Mulgrave, Pembroke, and Salisbury, and the Lords Fairfax and Grey. Vane also was chosen a member, at the earnest solicitation of Cromwell, it is said, whose ambitious aspirations had not yet taken form and shape; but he did not present himself till nine days after. He found an obstacle to his being sworn into the council, by reason of a resolution proposed in the House, that no person should be a member without expressing his approbation of all that had been done on the king's trial. Vane refused to take the test. It was upon this occasion that Sydney, sensible of the importance and value of such services as Vane's in the executive council of the new government, opposed this test in the House with great warmth and animation. Among other things he observed, that "such a test would prove a snare to many an honest man, but every knave would slip through it." This cutting, and perhaps imprudent sarcasm, was construed into a personal affront by Cromwell, Harrison, and others, and a violent debate, which occasioned great excitement, ensued, it being contended that Sydney had called all those knaves who subscribed to the test. The experienced Harry Marten, one of Sydney's warmest friends, at length quieted the turmoil, and put an end to the debate, by one of his quick-witted and good-natured explanations. He declared that Sidney had only said that every knave *might* slip through, not that every one who *did* slip through was a *knave*. Sydney, in the letter to his father, already mentioned, alluding to this circumstance, declares his own conviction that it was much against his interest, as it made Cromwell, Harrison, Lord Grey of Groby, and others, his enemies, who from that time continually opposed him."

Sydney was also engaged on several committees: among them, on the one moved for by Vane for calling future parliaments, and regulating elections; and subsequently was a member of those appointed to promote the union with Scotland.

"He was also a member of the committee charged with effecting various important alterations in the practice in courts of law. Upon this committee

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there were several of his associates who were not members of Parliament. The celebrated Sir Matthew Hale, the most profound and accomplished jurist of the age, was a member of it. He seems also to have had some singular associates, who appear to have been very little qualified for the work. Among these may be mentioned Major-General Desborough and the famous preacher Hugh Peters, formerly minister at Salem, in Massachusetts, and afterwards the chaplain of Cromwell, who, according to Whitlocke, 'understood little of law, was very opinionative, and would frequently mention some proceedings of law in Holland wherein he was altogether mistaken.' The committee met several times in the House of Lords; but, considering the nature of the times, and the discordant materials of which it was composed, it is not wonderful that little was effected by its labors."

Sydney was also chairman of a committee to regulate matters relative to the Irish insurrection, and, in November, was elected a member of the Council of State, in which office he remained until Cromwell seized the reins of government.

On the 20th April, 1653, Cromwell dissolved the parliament. Lenthal behaved with great firmness on the occasion, and his example was followed by Sydney. His father has recorded his son's conduct on this occasion. Lord Leicester says, in his diary :—

"It happened that day that Algernon Sydney sat next to the speaker on the right hand. The general said to Harrison, 'Put him out.' Harrison spake to Sydney, but he said he would not go out, and sat still. The general said again, 'Put him out.' Then Harrison and Worsley (who commanded the general's own regiment of foot) put their hands upon Sydney's shoulders, as if they would force him to go out. Then he arose and went towards the door."

Foster, in relation to this affair, tells a good anecdote of a royalist having pasted on the door of the House of Commons during the night, the following note :—" *This house to let, unfurnished.*"

Sydney returned to Penshurst, and refused to take further part in Cromwell's government. He had seen the Long Parliament fall, and was one of the last members to leave the Hall. That act of Cromwell's cannot be vindicated. He stands out the betrayer of the Commonwealth. But for this, it is fair to think, that the despotic, military rule of Cromwell would have been avoided, and a regular and decent government would have been instituted; one which, while it gave liberty to man, would have avoided the Puritan extravagancies and intolerance which made their rule so hard. The great intellects of the Long Parliament were there at the very moment of his entrance, making provision for future parliaments, and that on a scale of popular representation, which was never carried out in England until the passage of the Reform Bill. The declaration put forth in vindication of the step is full of profession and religious generalities, but without any direct charge against this Parliament, and based upon fact, excepting the one disproved, viz., that the House was not willing to dissolve itself, and the authors of this document must have had a consciousness of its inadequacy, for they promised " before it be long," further reasons for the " great action."

A statesman of Sydney's views must have felt all this, and have seen, that the government had no claim on him. He, therefore, remained in retirement till the close of the Dutch war, when again he went over to Amsterdam, where he remained until 1654, when he returned again to England. He abstained from all interference in politics, and an " Essay

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on Love," found among his papers, is supposed to have been written at this time; and it is not improbable that his "Discourses on Government" were now first commenced.

The following incident, which occurred during his retirement, may be new to many of our readers; and we will avail ourselves of Mr. Van Santvoord's agreeable narrative, to record it:

"Constant to the principles he had adopted, Sydney still refused to acknowledge the Protector's government. Though his friends, Bradshaw and Scot, did not hesitate to appear among the ranks of the opposition in Cromwell's Parliament, he himself embraced other views of duty, and continued to regard an entire seclusion from public affairs as the course most consistent with his own sense of propriety. His eldest brother, Philip, Lord Lisle, adhered to the Protector, and was one of his warmest partizans. Lisle had been summoned by Cromwell as a member of the 'Barebone Parliament,' and so highly did he acquire the lord-general's confidence, that on the installation of the protectoral government, he was named the first upon the Council of State. He seems to have taken great umbrage at the contempt and disgust which Sydney manifested toward the Protector and his government. On one occasion, Sydney, to relieve the dullness which reigned at Penshurst, and to amuse his lordship's household, managed to get up a play, which, either by accident or design, reflected severely upon the Protector. The indignation of his brother could be no longer restrained. In a letter to the Earl of Leicester, under date of June 17th, 1656, he thus expresses himself:

"'In my poor opinion, the business of your lordship's house hath passed somewhat unluckily, and that it had been better used to do a seasonable courtesy to the Lord Protector, than to have had such a play acted in it, of public affront, which doth much entertain the town. I have been in some places where they told me they were exceedingly pleased with the gallant relation of *the chief actor* in it, and that by applauding him they put him several times upon it.'

"The play is thought to have been Shakspeare's *Julius Cæsar;* Sydney—'the chief actor'—sustaining the part of Marcus Brutus. The dissatisfaction of his brother was increased by the suspicion that Algernon was the favorite son of his father. The old earl, on all occasions, manifested towards him an affection and confidence which awakened the keen jealousy of the eldest son and heir."

The Protector died, and his son succeeded him—and a Parliament was called to meet in January, 1659. They met—and their vote that there should be no general meeting of the officers of the army without leave of the Protector, and of both Houses, led to their own dissolution. And this point gained, the council of officers of the army called back the Long Parliament. True to itself, one of its first acts was to expunge from the records Cromwell's entry, "that the Lord General dissolved this Parliament," and to re-establish the old forms of the Commonwealth. Sydney was appointed one of the executive, and shortly afterwards was named, in connection with Whitelock and Sir Robert Honeywood, to arrange peace between Denmark and Sweden.

Holland, who was equally interested in this negotiation, to obtain free navigation of the Sound, united with England in the appointment of plenipotentiaries; and the Commissioners arrived at Elsineur on the 21st July. An English fleet was then lying in the Sound; and the officers who had heard of the change of government, had sent in their allegiance to the Commonwealth. Sydney, however, discovered that the Admiral was in the interest of Charles II., and informed the government of the necessity of their interference. Some additional frigates were ordered to be equipped; and from this quarter, at least, the Commonwealth was secure from attack.

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It was during this negotiation that the restoration took place; a movement which, with few exceptions, found universal favor with the English nation. It is the custom with many to trace this movement to what is termed the monarchical spirit of the English people. That there are those now-a-days who view republicanism, as men four centuries back looked upon witchcraft—as a thing to be feared, is possible. Ignorance, blended with prejudice, has unfathomable credulity. But to say that the whole mass of our English cousins need a pageant and a puppet to love, as a disconsolate old maid turns to a parrot or a cat, is more than we are inclined to receive. We can understand the spirit of chivalrous devotion evinced throughout the realm to the virtuous gentlewoman who now holds the sceptre. But any abstract feeling on the point, we look upon as an exploded idea. The divine right of kings is just what Paley stated it to be, that it was on a par with the divine right of constables. Rather we are inclined to believe that the genius of self-government which distinguishes the Anglo-Saxon race, would, in England, adapt itself to any institution; and there is nothing to lead a man of sense to reject the idea that republicanism there would be worked out with equal success—with equal prosperity—and with no greater civil difficulties than it is here.

But there were many causes which prevented that form of government being introduced at the period we write of. It had neither the halo of age—and we write it with sorrow—the virtue of youth. It had struck the axe at the frank heartiness of the English character—destroyed all social gladness—and made men morose and unhappy; for there was no laughter—no gaiety. The Church of England, which many lovers of liberty deeply revere—(Pym was a Churchman, so was Hampden, though neither liked Laud's innovations)—was swept away, as it was thought, for ever.* Cromwell's semi-hypocrisy—his tyranny—his injustice—fifty gentlemen were sold for slaves to Barbadoes; all these led the people to look for change; and when that uxorious master of dissimulation, Monk, proclaimed a free parliament, England was in ecstasies—and the restoration came—undoubtedly the blackest and most disgraceful page to which Americans turn as a part of their history.

Sydney completed his negotiations in a masterly manner; but the event of the restoration made him hesitate whether or not he should return to England. He felt uncertain "how his actions or person would be looked upon at home;" for, although he came within the act of amnesty, it was clear to him he was obnoxious to the government. His letters exist to show his strong feelings. England was still to him his country, and exile was a punishment, under which his generous nature writhed. He seems to have felt towards his native land, in the words of the poet—

> "Should I lay
> My ashes in a soil which is not hers—
> My spirit shall resume them, if we may,
> Unbodied, choose a sanctuary."

He did, indeed, lay his bones there; and his monument is yet, and will be, a voice for all time, crying against tyranny and injustice. From

* They (i. e., the Puritans,) interdicted under heavy penalties the use of the Book of Common Prayer, not only in Churches, but even in private houses. It was a crime for a child to read by the bedside of a sick parent one of those beautiful collects which had soothed the griefs of forty generations of Christians.—*Macauley*, Chap. II.

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Sweden he passed to Holland, in hope that the Court would make some acknowledgment for his services, and that he should be recalled to live under the new rule. But reports injurious to him had traveled to England;—reports of expressions of his opinions—such as a free man would utter—and his readiness to justify the death of Charles. His father thus wrote him on these points:—

"It is said that the University of Copenhagen brought their album unto you, desiring you to write something therein, and that you did *scribere in albo* these words:—

——Manus hæc inimica tyrannis
Ense petit placidam sub libertate quietem.

It is also said that a minister who hath married a lady Laurence, here at Chelsea, but now dwelling at Copenhagen, being there in company with you, said—'I think you were none of the late king's judges, nor guilty of his death,' meaning our king; 'Guilty,' said you, '*do you call that guilt? why it was the justest and bravest action that ever was done in England or anywhere else*,' with other words to the same effect. It is said also that you, having heard of a design to seize upon you, or cause you to be taken prisoner, you took notice of it to the King of Denmark himself, and said—'I hear there is a design to seize upon me; but who is it that hath that design? *Est ce notre bandit?*' by which you were understood to mean the king. Besides this, it is reported that you have been heard to say many scornful and contemptuous things of the king's person and family, which, unless you can justify yourself, *will hardly be forgiven or forgotten*, for such personal offences make deeper impressions than public actions either of war or of treaty."

Sydney's replies are the vindication of his character. His memory exacts that they should be known, and no thoughtful man can read them, even cursorily, without recognizing the deep principle which guided his conduct. The accusation—which has cast its shade upon his character to which we shall refer in detail, is more than refuted—and there is, too, the great moral lesson, that the man who puts his trust in God, even in the darkest periods of life, obtains that peace which passeth understanding. Our extracts must be necessarily brief:—

"I thank God by this I enjoy very serene thoughts. If I lose this, *by vile and unworthy submissions, acknowledgment of errors, asking pardon, or the like, —I shall, from that moment, be the miserablest man alive, and the scorn of all men.*"

* * * * * * * *

"If I could write and talk like Col. Hutchinson, or Sir Gilbert Pickering, I believe I might be quiet; contempt might procure my safety; *but I had rather be a vagabond all my life than buy my own country at so dear a rate.* * *

"It will be thought a strange extravagance for one that esteemed it no dishonor *to make himself equal unto a great many mean people, and below some of them, to make war upon the king*, and is ashamed to submit unto the king, now he is encompassed with all the nobles of the land, and in the height of his glory, so that none are so happy as those that can first cast themselves at his feet. I have enough to answer all this in my own mind; I cannot help it if I judge amiss."

* * * * * * * *

"That which I am reported to have written in the book at Copenhagen, is TRUE; and having never heard that any sort of men were so worthy the objects of enmity as those mentioned, *I did never in the least scruple avowing myself to be an enemy unto them.*"

But there is yet one more extract which proves how far removed he was from those visionary enthusiasts who would have madly destroyed the peace of the kingdom without hope of bettering its condition:—

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"The king doth not give any testimony of desiring to destroy *all* that were against him, but he will have *all to submit, to recant, to renounce, and ask pardon.* I find this and other things are expected from me. I can do the *first*, cheerfully and willingly, as he is acknowledged by the Parliament; *nothing of the others.*"

Sydney had again attempted to enter Parliament in the elections of 1680, only to fail. There was a double return, and his election was declared void. The house was shortly after dissolved. Sydney's conduct on the dissolution is thus described:

"It was on this occasion, in March, 1681, that Charles issued a proclamation justifying his conduct, and assigning reasons for dissolving the last two Parliaments. To this declaration a spirited answer appeared, entitled 'a Just and Modest Vindication of the Proceedings of the two last Parliaments.' The answer was from the pen of Sydney, revised and corrected by Sir William Jones. Bishop Burnet says of this pamphlet, that for 'spirit and true judgment, it was the best written paper of the times.' Sydney charges the Duke of York with advising the dissolution of the Parliament; with being at the head of the popish faction; with favoring the designs of Louis XIV., by encouraging traitors and pensioners; with endeavoring to reign without Parliament, and introduce the popish religion; with betraying the secrets of state to Barillon, the French Ambassador, who knew of the intended dissolution of Parliament three days before it was known to the peers at Oxford, by which means the time of dissolving the Parliament was known sooner in Paris than in London; and he observes—'Good God! to what a condition is this kingdom reduced, when the ministers and agents of the only prince in the world who can have designs against us, or of whom we ought to be afraid, are not only made acquainted with the most secret passages of state, but are made our chief ministers, too, and have the principal conduct of our affairs. And let the world judge if the Commons had not reason for their vote, when they declared those eminent persons who manage things at this rate, to be enemies to the king and kingdom, and promoters of the French interests."

In estimating the participation of the leaders of the liberal party in the plots of the day, one thing must be borne in mind, that the Exclusion Bill had passed the House of Commons, and that it was loudly clamored for by the nation. Therefore, it was only natural that meetings would be held to discuss who should ascend the throne on the death of Charles. Shaftesbury had endeavored to bring about a general insurrection, but in vain. And it was only after his flight from England that Sydney attended any meetings of this character. The projects discussed here, doubtless, tended towards a great national movement, as independent of the Rye-house Plot as if it never had existed. Mr. Macaulay has well stated this, "That only a small minority of those who meditated resistance had admitted into their minds the thought of assassination, is fully established; but as the two conspirators ran into each other, it was not difficult for the government to confound them" together.

With Monmouth, Sydney had a limited acquaintance. His meeting at all with the duke was a stratagem of Lord Howard of Escrick. This whimpering knave, who was the witness against him on his trial, told both the duke and Sydney that each desired the other's acquaintance, and thus they met at dinner at Howard's.

On the arrest of the conspirators, there were those among them who set a store on their lives, and offered to reveal all they knew. Witnesses

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of this kind necessarily have to earn their lives; and one important element of success, is to make their testimony of value. They are interested parties, and any virtuous judge will well weigh before admitting it. There needs corroborative proof. In case of those whom the court arrested on their evidence—Russel, Sydney, Hampden, Essex—such links of evidence were not only totally wanting, but even that offered by the witnesses, literally amounted to nothing. Russel had certainly met Rumsey and Ferguson at Shepherd's house, which Rumsey stated in his evidence, and which Shepherd on his arrest admitted. But the court were determined on identifying what was called the "Council of Six" with the murderous intent. Russel was the first to be arrested and to suffer. Essex cut his throat in the tower the day of Russel's trial. Monmouth had fled beyond the seas. Hampden was to be punished with fine. Howard had pleaded with tears for life, and had agreed to testify against his friends. At his door may be charged the blood of these illustrious victims. Sydney still remained, and he was alike to be removed.

He had early intelligence that the government had determined upon his arrest, but he disregarded the admonition to retire. But if he had hesitated to think that his innocence would not protect him, his doubts were soon removed; for at the period of Lord Russel's trial, he was arrested while at dinner—his house ransacked—and his papers seized, and carried away.

After an examination before the Privy Council, where he asserted his readiness to vindicate his conduct, he was thrown into the tower, where he was denied communion with any, and confined with unusual rigor, so that his servant could not even carry him a change of linen. Was this a reiteration of the policy used towards Lord Essex?—to break the spirit and fortitude of Sydney, and to point to his razor as a resource? If so, it failed. "Courage," Shakspeare says, "mounteth with occasion," and Sydney's heart was yet undaunted.

The trial of Sydney is a disgrace to the records of justice. Never can there be again so shameful a prostitution of a court of law. It needed but a fit president; and in the drunken, cowardly, bloody-minded ruffian, Jefferies, one was found.

Sydney was arraigned on a long, perplexed and intricate indictment, to which he took exceptions; but the Chief Justice insisted that he should plead guilty or not guilty. Sydney offered a special plea in writing, which he eventually withdrew, and answered in the usual form. On his trial there was no evidence of the least value against him. West proved first that the Rye House Plot existed—Rumsey gave some hearsay evidence. Lord Howard was indeed the only one who in any way affected Sydney's case, and that, at best, was vague; but the law required two witnesses, and to supply this lack, manuscripts seized in Sydney's house, written years before on abstract questions of government, were produced in court—the handwriting was proved to be his, and the judge charged the jury these were equal to many witnesses. On such grounds was Sydney found guilty.

Mr. Van Santvoord enters at length into the account of the trial. Throughout the brutality of Jefferies is equalled only by his shameful perversion of justice. His insolence to the prisoner when passing sentence, was all that was wanting to complete the scene. Against this Sydney appealed in court—not to men, for the time for that was passed—but unto that God before whom he had so soon to appear.

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The few hours that were left him, Sydney employed in vindicating his memory, and wrote an "apology," which he left with his servant. He also drew up a brief statement, which he gave to the sheriff, in place of making any speech to the multitude. On the scaffold he evinced the fortitude and courage of a Christian. We perceive that Mr. Van Santvoord retains the following story. He does not, however, give us the authority on which he relates it. If we recollect rightly, it is not stated in the original paper of the sheriff:

"Sydney then took off his hat, coat, and doublet, gave the customary fee to the executioner, and said, 'I am ready to die; I will give you no farther trouble.' Observing the executioner grumble, as though he had given him too little, he directed one of his servants to give him a guinea or two more, which he did. The victim then knelt down for a few moments in silence, apparently engaged in devotion. He then calmly laid his head on the block. The executioner, as was customary in such cases, asked him if he should rise again. 'NOT TILL THE GENERAL RESURRECTION. STRIKE ON,' was the laconic and sublime reply—the last words that ever passed his lips."

To those who wish to know more of Sydney, we refer them to the volume to which we are mainly indebted for what we have written. It also abounds with sketches of his contemporaries.* The acute, bold Bradshaw—Milton, whose work is not the greatest of heroic poems, only because it is not the first—Vane, of whom it is well urged, "No vice would stick even as lie against the virtue and simplicity of the most spotless statesman of our annals"—Shaftesbury, Ireton, Scott, Blake—are all portrayed with skill.

Our space permits us no allusion to these; our business has been with Sydney, and we have endeavored to trace, certainly in faint lines, the life of this philosopher, statesman and patriot. The first years of his life were passed in a period fertile of great men. His riper years saw feebler and less virtuous statesmen. The former taught him to think and feel. The latter made him more fixed in his early opinions. To the last he loved "the GOOD CAUSE." The cause of liberty, for which the virtuous and pious of all ages have contended—for which much blood has been spilt—which, in spite of "evil days and evil tongues, and with darkness, and with danger compassed round,"† has triumphed, and will triumph for all ages.

Sydney, like others, had his faults. He was somewhat haughty and irascible, perhaps too impatient of contradiction; but the main features of his life stand out in lineaments of moral beauty. Every lover of his country would do well to read and study Sydney's career. His writings attest his thoughtful mind. His exalted virtue and purity prove the sincerity with which he wrote. He lived not for himself. And when others have to tread over ground similar to that on which he strode so manfully—a contemplation of men, like Algernon Sydney, will inspire, console and elevate; for it will show the might of principle, the superiority of mind, the strength of a sense of right. His name is now immortal,—ranked among the heroes of the past, as one of those who love rather

> To prevail in the cause which is dearer than life,
> Or, crushed in its ruins, to die.

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* Johnson's Lives of the Poets. † Milton.

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WILLIAM PENN.*

When a new witness is brought into court, it is a customary measure of precaution to examine him on what the lawyers call his *voir dire*—that is to say, in order to discover whether or no he is competent to testify, and worthy to be believed; so, in literature, when an author comes newly into the field, it is the custom to examine his work the more carefully, because we are not aware, from experience, how much faith may be placed upon him. Especially is this the case, when the author under consideration professes an intention to succeed where others have failed, to answer what has hitherto remained unanswered, and to have received new materials or new lights, not to be reached or seen by other persons. This is exactly Mr. Dixon's condition. His preface informs us, that because the prior efforts to depict Penn's life have been failures; because the "sneers of Burnet, the falsehoods of Echard, and the bold misinterpretations of Macintosh, remained on record unanswered;" and because Macaulay has again brought forward these "errors, assumptions and mistakes," he was determined to write, and he has written. He also gives us a list of thirty-six heretofore unconsulted and unpublished documents. His paragraph of thanks informs us that neither England nor America has been omitted in his collection of materials; and we know, of our own knowledge, of one descendant of Penn, in Philadelphia, who was obliged to spend sundry weary mornings, and sadly to soil her delicate fingers, in endeavoring to satisfy Mr. Dixon's requirements from among the musty family records. Yet we must confess that we have an unfortunate partiality for Burnet, Echard, Macintosh, and Macaulay, and that we commenced Mr. Dixon's book, requiring that he should make out a very strong case, before we could abandon the faith which we, wrongly or not, have been accustomed to place upon them. Not only has the new biographer failed to do this, but he has, in addition, so erred in many of his statements—or rather misstatements—of established facts, that were the field of controversy on Penn's character totally unoccupied, we should be very careful before we trusted to Mr. Dixon's accuracy. It may be useful, in order to justify our doubts on the main question at issue, that we should instance some of these errors, and let our readers judge for themselves.

We shall pass very summarily over the mistakes, which a proper knowledge of the geography of the country he wrote about would have saved Mr. Dixon from committing. Had he possessed such knowledge, he could never have mistaken the Schuylkill for the Delaware, or placed East Jersey on the opposite bank of the river from the treaty-ground at Shackamaxon, or made Chester higher up the river than Wiccacoa, the modern Southwark in Philadelphia; or have given Lord Baltimore the eastern and Penn the western half of the peninsula between the Chesapeake and Delaware. Neither shall we do more than call attention to some of his legal disquisitions, in which he shows very conclusively that he does not

* William Penn. An Historical Biography, from New Sources, &c. By William Hepworth Dixon. Philadelphia, (re-print,) 1851. pp. 353.

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know the difference between the verdict of a jury and the opinion of a court, and makes judicial discoveries equally astounding and ill-founded. Where, however, he errs on the questions of fact or historical events, we will take the liberty to consider his assertions more at length, as more nearly affecting his fitness for the work he has undertaken; and if we can show, as we think we can, that he has committed unpardonable blunders in regard to notorious facts of English history, we submit that it is only fair to doubt his accuracy exceedingly, where we are asked to depend upon it in disputed questions, or where we have only his own researches and authority for a voucher.

We will select a few cases for examination.

"A well-merited impeachment was hanging over the head of Lord Danby, first minister of the crown."—P. 163.

Danby was impeached for being in the interest of Louis XIV. During the negotiations, prior to the treaty of Nimeguen, Charles had offered to Louis, if the allies did not accept the terms proposed by the French, and if Louis would allow him six millions of livres a year for three years, that all the English troops should be recalled from Flanders within two months; that most of the army should be disbanded, and that no Parliament should be called for six months. This offer was contained in a letter, transmitted through Danby to Montague, the then English ambassador at Paris; but the letter was signed by Charles himself, Danby and the other ministers consulted having positively refused to affix their names to it. Judged by the standard of official conduct now-a-days, Danby's part in this transaction is unjustifiable; when compared with the actions of the minister's contemporaries he appears much less blameable; but, waiving this ground of defence, we unhesitatingly say, that Danby's impeachment was unjust, simply because he was not the guilty party. He was a sacrifice to the ridiculous maxim that "the king can do no wrong." An example was required; the nation, in the fervor of the restoration, had lost the resolution of character which, on the 30th of January, 1649, had enabled them to disregard cobweb technicalities, and visit the responsibility for the actions of government on the really guilty party. Danby was, therefore, selected to fill the vicarious office, which a higher head should have occupied; and his case was a violation of that principle of common justice and common law, which forbids the trial and punishment of an accomplice till after the principal has been convicted.

There is another view of this affair which puts the Lord Treasurer in an even better position, and shows the impeachment in its proper light. The truth is, as is now readily admitted by every properly informed person, that Danby was really impeached, not because he was a friend to France, but because he was an enemy to Louis; not because he supported the French interest, but because he opposed it; because he had been instrumental in bringing about the marriage of the Princess Mary with William of Orange, and because his unvarying advice to the king was to reject French interference. It is now settled, beyond a doubt, that Montague acted by Louis's order, when he betrayed the correspondence from which the impeachment arose, and which the French monarch well knew would ruin the ministry; and it is equally certain that most of the chiefs of opposition in Parliament were in the habit of acting under Louis's instructions. We cannot agree that such an impeachment, so brought

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about, was well-merited or justifiable; and even its most prominent actors and supporters admitted, in after years, that it was not so.

"The House met in a most threatening mood. Its revenge was prompt. Danby was committed to the tower. The Duke of York was banished the realm."—P. 167.

If this means—and it can mean nothing else—that James was banished by the action of Parliament, we can only say that Parliament did nothing of the kind, as any respectable history of England will show.

"James tried his right to suspend the whole body of the penal laws which oppressed his subjects. The question was regularly brought to issue in the courts of law; and, with the exception of Street, the judges were unanimously of opinion that, according to the laws and usages of England, the king had power to suspend the obnoxious enactments."—P. 248.

Regularly brought to issue, says Mr. Dixon. There were certain proceedings had preparatory to the trial which did much to produce this marvellous regularity. The counsel for the prosecution was a notorious creature of the court, paid by the defence to betray his case. When the king sounded the judges, he found them almost unanimous against him; "I am determined," said he, "to have twelve judges who are all of my mind as to this matter." "Your majesty may find twelve judges of your mind," replied one of them, "but hardly twelve *lawyers*." The king acted on his threat, and packed the bench with his adherents. Finally, the solicitor-general, Finch, refused to appear for the dispensing power, and was instantly dismissed to make room for a barrister of more flexible conscience. With such preparations, the trial must have been almost too regular; but Mr. Dixon does not think such *minutiæ* of arrangement worthy a passing hint, let alone an extended notice; and the decision in question is cited by him with as much respect as if it were one of Lord Coke's.

"The uncompromising champions of church prerogative were all ejected from the college (Magdalen). Yet they lost little by their temporary removal. His self-love gratified, the king soon afterwards restored the fellows to their honors and emoluments."—P. 256–7.

The fellows were expelled on the 16th November, 1687, and rendered incapable of holding ecclesiastical preferments. They were only restored in September, 1688, when the king, in an agony of terror because of William's invasion—which Mr. Dixon probably thinks gratified his self-love—hoped, by retracing his steps, to escape the danger which threatened him.

"In his misplaced confidence, an order in council had been issued at the same time with the Royal Declaration, commanding it to be read in all churches."—P. 258.

The Declaration of Indulgence was published on the 4th April, 1687, republished 27th April, 1688, and the order in council not issued till the 4th May following. The dates are not mentioned by Hume, the authority most likely to be relied on by men of Mr. Dixon's stamp, and, indeed, Hume's statement is so contrived as to insinuate the idea expressed by Mr. Dixon. When we remember that this matter was one of the most powerful in producing the revolution, and that much stress was laid on the particular dates of every step in the whole affair, it is difficult to

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say whom we should be most astonished at; the historian who could lose sight of such important landmarks, or the biographer who could implicitly trust such an historian.

"He (James) fled before the menaces of his son-in-law."—P. 259.

Truly Mr. Dixon must have drawn his history as well as his biography from "new sources." Even Hume was obliged to confess that William's conduct was anything but menacing towards his wife's father. The fact was, that James, like all tyrants, was a coward, and fled from imaginary dangers where no real ones existed.

We are weary of this continual citation and correction, though we could easily fill more pages with the statement of similar errors. In many cases the misrepresentation is of that common yet peculiar kind, in which, while it is impossible to place the finger on a positively false statement, the whole is so contrived as to produce an impression widely different from the true one. These things every one reading the book must correct for himself; we have only striven, and can only strive, to give warning of them beforehand.

We will not for a moment deny that we take an interest—almost a partisan interest—in the controversy about Penn. We always have a leaning towards the ranks of the iconoclasts; and there is no image which men are so likely to set up improperly, and to endow with fanciful or non-existent virtues, as that of any one in Penn's situation: a well known and influential courtier; the founder of a great commonwealth; almost the martyr, and always the advocate and protector not only of his own religious sect, but also of the oldest, most powerful, and most united section of the Christian Church; never had any one a better opportunity to be canonized, and few less deserving have ever been so. While these are our deliberate opinions, we do not care now to go extensively into Penn's life to find a justification for them. With his European career we desire at present to have little to do. Of that portion of his history, however, which affected this continent, we wish to speak, and to endeavor, as far as in us lies, to correct many misconceptions to which we think it liable.

It is remarkable how, throughout almost the whole of this dispute, American affairs have been left out of the question. It would have been reasonable to suppose, that those desirous to investigate Penn's character should have sought the manifestations of it where it was least controlled; where, as supreme ruler, proprietary, and governor, his principles of action became the moving spring of the state; yet, by a seemingly common consent, this whole field has been abandoned, or all the notice given to it has been an occasional epithet or a passing slur upon the "ungrateful colonists." Now we are not so unreasonable as to expect that Pennsylvania history could be very entertaining to any one. All who have ever made it their study will agree, that of the dull, dry, and unattractive things of this world, "Proud" and "Gordon" take the lead. Talk of law books being uninteresting! we had rather undertake to learn Littleton by heart twice over, than be condemned to a three months' course of Pennsylvania annals. We can scarcely say whether her local position or her Quaker origin has had the greater influence over the destiny of the "old keystone," as her sons delight to call her, but some how, and for some reason, romance or beauty never came near her. True, our man,

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Illi robur et as triplex
Circa pectus erat,

dareth to imagine Gertrude of Wyoming, while another has tried how that extraordinary specimen of prose run mad—English hexameters—would suit the unpromising ground; but the experiment was never repeated. For historical events of any interest, we look in vain over the dreary waste. No Puritans, pilgrims from oppression, the wrecks or the springs of revolution, claimed her protection or sheltering care: they sought a climate more fitted to their stern, determined natures, and a soil whose barren rocks might give the greater triumph to their perseverance. No reckless cavaliers, or gay-hearted Frenchmen, came within the Delaware: they looked further to the south, and settled the gentle plains and savannahs of a warmer and more congenial latitude. In short, the land of Penn was left to its sober fate. No Clyborne could be found, as in her neighboring colony, to disturb her peaceful sleep; and, in the dearth of greater events, her sons fell to squabbling over petty ones. Looking at all this, we cannot but admit that, to general readers, the history of Pennsylvania may well be a sealed book; but it is none the less true, that within it lie hid many things which the disputants on Penn have not done well to neglect. It shall be our effort here to bring to light such portions of it as may be of importance to a just appreciation of the Proprietary's character. An amusing or interesting history it cannot be; and we only make a virtue of necessity when we announce it as a mere catalogue of dry, and, to many, perhaps, trivial facts.

In order to a proper understanding of the early history of Pennsylvania, it is desirable that a clear idea should, if possible, be obtained of its constitution and government. This is, however, no easy matter; for the blessings of new government were so plentifully showered upon the early colonists, that it is sometimes difficult to tell exactly under what system they were living. In the twenty years, between 1681 and 1701, five different "frames of government," "settlements," or whatever else they were called, were in force; these, together with the common law rights, inherent in the colonists as Englishmen, and with the royal charter to the Proprietary, constituted the political system of the colony. The first "frame of government of the province of Pennsylvania, in America," was perhaps as moderate in its provisions, and as well calculated to attract colonists, as it was possible to make it. Penn well knew what he was doing; and, in order that his advertisement, for it was nothing more, might be as attractive as possible, Sidney was persuaded, innocently we believe, to take part in the solemn farce. Constitutional rights did not flourish very luxuriantly under the restored Stuarts; and, when a liberal government was offered for their acceptance, crowds of emigrants flocked to the Proprietary's ships. When, however, the requisite number had been obtained, the constitution had done all that Penn ever intended it to do, and all his efforts were turned to its abolition. The means adopted to effect this end were well devised to conceal their ultimate object, and bore upon them marks of the same family likeness that distinguished the insidious encroachments of the sovereigns at home. Subsequently to the royal charter to Penn for the territory north of the fortieth degree of latitude, he obtained a grant from the then Duke of York, for the land commonly known as the "lower counties" or "territories," lying along the west side of the Delaware River and Bay, from the southern limits of Pennsylvania to the ocean. Never was a grant

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more fruitful of dispute, governmental aggression, and legal controversy, than this. After arraying Penn against his colonists, and Lord Baltimore against Penn; after being debated in the Privy Council, and decreed upon by the Lord-Chancellor, it has descended as a sort of heir-loom to our own times; it has been the subject of dispute between neighboring states of the Union; it has opposed individual citizens to the general government; national courts of equal rank and jurisdiction have made conflicting decisions upon it; and under it the harmonious spectacle has been exhibited, of the United States Marshal of one district ejecting tenants introduced by the same officer of another district.

Scarcely was the ink of this portentous grant dry, when it was laid hold of by Penn, as a means of abolishing the constitution of 1682. The grant in question was merely of the property in the soil. It passed no rights of government, but gave a mere fee simple estate, the seigniority being in the duke, by his governor at New-York. Yet, in spite of this undoubted and undisputed fact, Penn, for his own purposes, endeavored to exercise over the "territories" the same powers he possessed over the province. He then argued, plausibly enough, that the constitution of 1682 did not bind his new acquisitions, and that, as the government was now one, a new constitution was necessary. It would be difficult to find a greater *non sequitur*, or an assertion less capable of support than this. Even if it be granted that all was passed by the duke's deeds which Penn asserted, there was the best reason to deny that the government was one. At that very moment, England and Scotland, though having a common sovereign, were perfectly distinct in government; and, in later days, from the accession of George the First to that of Victoria, the same has been the fact as to England and Hanover. Had Penn really obtained the same rights over the "territories" which he possessed over Pennsylvania, the same reasons which governed the cases of Scotland and Hanover would have ruled his. How perfectly futile then does his claim appear, when we remember that he in fact possessed no right of government at all over these "lower counties." In spite of all this, however, he effected his objects; and in a year from the date of the first constitution, that one which, from its liberality, had been one of the greatest inducements to emigration, was abolished, and a new one adopted.

The consequences of the usurpation we have just narrated could not be calculated, but very soon appeared. The lower counties obeyed the consolidated government only when it pleased them; and when they refused obedience, or dissolved the connection, which they did several times, they justified themselves by the unanswerable assertion of Penn's total want of authority over them in governmental matters. They were only regarded as a means of revenue, while all their officers were appointed from the province, and their custom-house and similar offices removed to Philadelphia. But the gravest danger, and the one most feared by the colonists, was, that the acts of the Proprietary in this matter might afford an ample cause for the forfeiture of the royal charter, an operation attended with little difficulty in those days, even where there was much less ground than this to support it. Whether Penn thought of this or not, it is difficult to say; as if, however, to throw beforehand the odium of such a result upon the colonists themselves, he met the first Assembly, under the settlement of 1683,—an Assembly, be it remembered, which was denied the right to originate any bills, with a demand, almost amounting to irony, that the

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colonists should secure him from the consequences of a forfeiture, on account of any act of theirs. It is also worthy of observation, that when the troubles between the province and the territories reached their climax, and a separation took place, Penn, although it was the legitimate consequence of his own act, threw all the blame upon Governor Lloyd, and accused him of purposely producing such a result.

From 1683 to 1696 the province dragged along as well as it could. Penn sailed for England in 1684, and did not return till 1699, to what Mr. Dixon is pleased to call, somewhat cantingly it may be, his "holy experiment." A succession of governors ruled with equally ill success. The crown seized the government for a time, it having become absolutely necessary that the province should be placed in a state of defence. Finally, the people agreed upon the adoption of a constitution for themselves. This settlement of 1696 was the first thoroughly democratic one which the province had ever enjoyed. It abolished the almost close borough system of the Council; it gave the Assembly the right to originate bills; and, in short, for the first time, carried out the doctrine which Penn had announced in his promises to the colonists, but had never acted upon—"that any government is free to the people where the laws rule, and the people are a party to those laws." This constitution the Proprietary would never assent to, sanction, or recognize; and yet it was the only one which met the wants of the colony. From the time of its adoption to that of its destruction by Penn, it worked efficiently and harmoniously; and, in the words of the historian of Pennsylvania, "under it the people were content, and calmly and industriously applied themselves to the improvement of the country; and their best eulogium is the paucity of material for history, which their annals, for several years, afford." This state of things was too good to last. Penn arrived out in 1699, and the troubles at once re-commenced.

When the government of the province had been seized by the crown, and Col. Fletcher appointed to the post of governor, one of Penn's first acts was to write to that officer, warning him that the charter of the province had neither been attacked nor recalled, and cautioning him that he tread carefully. At that time it was evidently the Proprietary's interest to deny the abrogation of the charter; but immediately he was reinstated in the government, his whole convictions were changed. Markham, during his governorship, prior to Penn's arrival, had deliberately assumed, as his theory of government, that the royal intervention had destroyed the charter, and that on the Proprietary's restoration he took the province, subject only to his own will, precisely as the king had held it. On this doctrine Markham acted; and on Penn's arrival, he quietly carried on the government on the same principle, though in direct contravention of his own doctrine, avowed in his letter to Fletcher.

Acting only by his own will, and refusing to recognize the constitution of 1696, Penn summoned a new Council and Assembly, constituted according to his own fancy. The Assembly, then in session, with remarkable calmness and skill, at once met and rebuked his pretensions. As the representatives of the people, they would not allow such an act of arbitrary power to take place, and, at the same time, with rare temper and consideration, they did not wish to stand in the way of necessary government, or to produce confusion; they therefore adopted a course which, while it skillfully preserved their constitutional liberties, did not interfere

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with the action of the Proprietary, and, at the same time, obtained his own confession of his improper attempt at arbitrary government. At their urgent representation and remonstrance, and to prevent his recent acts being drawn into a precedent, he ordered that it should be entered on the minutes of the then Council and Assembly: that the change in the method of summoning them, and in their qualifications, was made by the consent of those bodies, saving to himself only the right to prescribe, in the writ, the time for which the Council should serve. On this minute, the result of no small parliamentary ability, it may be observed, that by assenting to it, to prevent his acts being drawn into a precedent, the Proprietary impliedly abandoned his claim, to make such changes of his own will; and also, that by only expressly saving the right to prescribe the term of the Council, he, according to all rules of construction, gave up all other rights over the matter; yet within the very same year, and also in 1701, he assumed and exercised the right to change the numbers and constitution of the legislature, and its place of meeting. Such acts are by no means without a parallel. Charles I. did the same thing in regard to the Petition of Rights, and James II. in regard to the dispensing power; and we shall presently see that Penn and his master were fully agreed on that subject.

The last constitution, or frame of government, with which Penn had to do, was that of 1701. In May, 1700, the Proprietary had promised the colonists, that if the then existing frame of government was surrendered to him, they "should have a better one." Willing to trust and oblige him, even in this, the desired surrender was made. When once the charter was in his hands, Penn was in no hurry to grant a new one. For fifteen months his solemn promise was disregarded; and it was only when, as Franklin says, he had one foot on ship-board for his final departure, that, being unwilling to give his deputies the same unbounded powers of misgovernment which he exercised himself, the charter of 1701 was granted. The provisions of this it is needless to state, except where they were the subject of controversy; and where that was the case, we will presently enumerate them.

Having thus traced the constitutional history of Pennsylvania, from its foundation to the last grant of the Proprietary, we will now advert, for a little space, and in a very disconnected manner, to some other of his acts relating to the province.

Of Penn's continual absence we make but little complaint. It is very true, that during these absences, from the delays incident to his being on the other side of the ocean, and from the bad character for their place which most of his deputies possessed, misrule reached its highest point. Governmental aggression and popular turbulence raged almost unchecked, with the solitary exception of the golden age under the constitution of 1696. Neither does the Proprietary's conduct compare at all advantageously with that of his neighbors, the Calverts, who were unfailing in constant attention and devotion to Maryland affairs and interests. But as the little experience which the colonists possessed of Penn's direct rule, gave them little reason to expect much happiness or improvement from it, and as his presence was always the signal for new troubles, his absence was probably no great loss. In 1685, while they were yet ignorant of the full extent of the Proprietary's Machiavellian doctrines and theory of government, the colonists urgently pressed his return to the province. He replied, "If

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my table, cellar and stable, may be provided for, with a barge and yacht, or sloop for the service of the governor or government, I may try to get hence." For a colony not yet four years old, and whose people had, till quite recently, been living in caves of the earth, these demands were somewhat magnificent; and it is not to be wondered, that a man with such ideas of personal comfort should have unhesitatingly given as an excuse for not waiting upon the Secretary of State, the fact of his having, for six weeks, been ill of a surfeit.

The constitution of 1696 had recognized a power in the executive to prorogue the Assembly; but in the charter of 1701 this clause was omitted altogether, and a provision inserted, empowering that body to sit on its own adjournments. Penn and his deputies, however, positively refused to admit the exercise of this power so expressly granted to the Assembly, and relied on the provision of the constitution of 1696 to found the claim to the right of proroguement; though, as we have seen, the Proprietary had always refused to recognize that constitution as valid. Penn's full adherence to this monstrous infringement of the charter is proved both by the commission to Governor Evans and by his correspondence with that officer. Indeed, the whole spirit of the Proprietary's government was of the same character, as may be well shown by his instructions to the commissioners in 1686—just about the time of Sir Edward Hale's case, where the king, by means which we related some pages back, obtained a decision in favor of the dispensing power, which these instructions carry to the fullest extent. The commissioners were instructed that, if dissatisfied with the Council, they should appoint others; that they should abrogate all laws passed since 1684; and that they should search curiously for infractions of the charter by the Council or Assembly. The first of these instructions was in direct violation of the act of settlement of 1683 then in force, and which made the Council elective by the people; the second was an assumption of a power even greater than that of dispensing with penal statutes, as claimed by the king; and the third was evidently of the same family with the *quo warrantos* of Charles II., coming with very ill-grace from one whose whole course was an infraction of the charter, and in a document which was one itself.

The immense strength possessed by the home government by means of its influence over the courts—well exemplified by the decision on the dispensing power—was not lost on Penn. No bill for the permanent establishment of the colonial judiciary could ever obtain his assent or that of his deputies; and whenever pressed on the subject, the uniform answer was, a reference to the sixth section of the royal charter, by which charter we have seen the Proprietary denied himself to be bound whenever it suited his interest to do so. The section, in question, after reciting that sudden accidents might happen which would render the enactment of laws necessary, before the freeholders of so large a country, or their delegates, could be gathered together, empowered Penn and his heirs, by themselves or their magistrates, to make fit and wholesome ordinances for the occasion. Under this section the Proprietary government claimed the right to regulate and establish the judiciary without the intervention of the Council or Assembly, notwithstanding these bodies over and over again met and proposed laws on the subject, which, as is perfectly evident, destroyed all claim such as that set up by the government under this section of the charter.

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Penn's effort throughout his connection with Pennsylvania was to blend the different characters of Proprietary and governor in such a manner that the one might help the other, and that whatever he could not constitutionally do as the civil ruler, he might claim as a right belonging to the owner of the soil. But it is very certain, that when a deputy was appointed he received all the powers of a civil governor, was the civil governor alone, and had nothing to do with the proprietary rights, whatever they were. The two characters were then separated, and, among other things, the right of assent or dissent to laws was solely in the hands of the deputy, and with it Penn could properly have nothing to do. This state of things, however, did not suit the Proprietary. He was determined to hold over the laws a negative in addition to that of the governor; and, though attending to none of his duties toward the province, intended that the colonists should still feel that, whenever it pleased him, he would exercise every privilege which struck his fancy. To effect his end, he first tried dissimulation and round-about means; afterwards, when these were made manifest, usurped the power with a strong hand. The Council, as a secret and seldom changing body, was the first instrument adopted. In the Council, James Logan ruled without a rival. Of Logan's talents and ability there can be no doubt; of his unscrupulousness there is a little question. In character somewhat like that arch-apostate, the great and bad Earl of Strafford, he cared little what means he adopted, so that they insured success. The colonists soon learned to hate and fear a man like this, and Logan, as was natural, became the mouth-piece and agent of Penn. We shall say nothing now of the impropriety of retaining Logan in the Council, or the greater indecency of appointing him governor—as was afterwards done—when there were, as there still are, thirteen articles of impeachment for malversation unanswered on record against him.

Instructions were forwarded to Governor Gookin forbidding him to pass any law without the consent of the Council. These instructions Gookin, perhaps unintentionally, managed to make the Assembly aware of, and an immediate and powerful protest was the result. Gordon speaks of these instructions as they deserve. His language is as follows:—

"This interdiction giving birth to a power foreign to the constitution, was highly offensive to the assembly. The office of the council was to aid, not to rule, to serve, not to command the governor. He was the representative of the Proprietary, vested with all his political power, and constitutionally subject to no other control, than that his principal had submitted to, by his compact with the people. In this character they knew how to approach him; but if he were subject to the will of a secret and irresponsible cabal, they were uncertain to whom their grievances might be effectually addressed, or what interests they were to propitiate. Deprived of his freedom of will, he was no longer answerable for his actions; his dignity must vanish, and himself sink into pity or contempt. Besides these constitutional objections, the assembly felt there were others of a personal nature. Logan, devoted to the Proprietary, to whose interests he was at all times ready to postpone those of the province, was predominant in the council; and, in terms as plain as their indignation was strong, the House ascribed to him all the past dissensions of the government."

The method of employing the Council having failed, Penn boldly inserted in Governor Evans' commission, a clause expressly reserving to himself a final assent to all bills, after they were passed into laws by the governor.

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This was too much. The Assembly coolly asked of the Council whether such a saving clause was valid, and the latter body, with Penn's own son at its head, could not but answer that the clause was good for nothing. Still the Proprietary was not to be foiled, and subsequently the governors were obliged to give him their private bonds for several thousand pounds, conditioned on their obedience in this unconstitutional reservation.

There are yet two other matters which greatly influenced the relations between Penn and the colonists, and which we desire to consider now. Unfortunately, they are the most complex and difficult of any that arose, and the length to which this article has grown, forbids our considering them in detail. We refer to the "Land Question" and the Revenue. Intimately connected together, it is impossible to understand the one without the other, and yet the combination only tends to deepen the obscurity which surrounds them. We shall, therefore, simply content ourselves with condensing the remonstrances of the Assembly on these subjects, only premising that one fact is always to be borne in mind: Penn undertook the colony as a pecuniary speculation; he received it as payment for a "bad debt," and was fully determined to make as much profit out of it as possible. This one consideration explains much of his conduct, otherwise without apparent motive, and no other one will do so.

The offices of property, and of the surveyor-general, were closed, and lands solds by Penn directly in England; all the proceeds of which, he appropriated to himself.

Instead of only reserving his tenth of the lands, according to the original conditions, he held or seized much more.

Under pretence of passing an act for confirming and securing lands, new surveys were ordered, the expenses of which, and the consequent new deeds, not to speak of the vexatious delays and procrastinations of the officers, were equal to, and sometimes greater than the original cost of the lands. Even then, not content with receiving a double payment for the land, before the new deeds were completed, Penn demanded a subsidy of £2,000, and an impost or excise, on account, he said, of his great expenses for the province; whereupon the Assembly, in order effectually to put an end to this pretence, desired him to consider better—we quote their very words,—what to place to the account of the province, and not to forget that no part of his pretended charges was expended in paying some of those who acted under him, in the administration of the colony.

Before his last departure for England, and after the re-surveys just spoken of, he signed a new charter of property, and promised, under his hand, that he would confirm it; yet, within six months therefrom, and after reaping all the benefits given in exchange for this confirmation, he forbade his deputy to allow it to pass the seals.

At the same time also, he told the colonists that, "for a consideration," in addition to the taxes and imposts voted to him, he would act as their agent to procure the royal approbation of their laws. Reasonable people might suppose that this was part of his duty as Proprietary; but whether it was or not, neither a sense of duty, nor a valuable consideration paid, could hold him to his bargain, and the business was shamefully neglected.

When the surveyor's office was open, Penn refused his assent to any bill to regulate that officer's fees, or to prevent the systematic extortion practiced therein; and the commissioners of property made the greatest possible difficulty and delay in making up the deficiencies of surveys,

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though Penn had been paid for the full quantity called for by his deeds. Indeed, so great was this trouble and expense, that it was "better for one to forego his right, than to wait on or attend the commissioners about it."

When the quit-rents were reserved, it was much against the wish of the colonists, and Penn only obtained them by saying, that such a payment would prevent the imposition of any other taxes; yet he not only increased the rates, and imposed them on the free grants of land in Philadelphia, but he insisted on, and obtained, other taxes and revenues.

After selling certain lots in Philadelphia, on the Delaware, as water front lots, he sold others between them and the river, thus defrauding the first purchasers of an advantage they had paid an increased price for. Although he promised the settlers of Philadelphia a convenient common for pasturage, nothing of the kind was ever set out; and, finally, the very lots sold by Penn, though he had received full price therefor, were never cleared by him from the claims of the Swedish settlers, and often had to be re-purchased from them.

When all these things are considered, taken as they are from official records and papers; and when it is remembered that every penny arising from the sales of lands, from the quit-rents, and from the various imposts, excises, and taxes, either went into Penn's own pocket, or to the support of the government, the "immense debt of gratitude," which some people seem to think the colonists owed him, dwindles down to a very small amount indeed. The position of Pennsylvania, under Penn, was well represented ninety-eight years ago, when it was described as a colony "in point of establishment, one of the last upon the British list, and in point of rank, one of the most subordinate, being not only subject, in common with the rest, to the crown, but also to the claims of a Proprietary, who thought he did them honor enough in governing them by deputy; consequently so much further removed from the royal eye, and so much the more exposed to the pressure of self-interested instructions." From the same source we would cite, in conclusion, the following summary of Pennsylvania colonial history, and the portrait of her Proprietary:—

"A father of his family, the latter united by interest and affection, the former to be revered for the wisdom of his institutions and the indulgent use of his authority, was the form it was first presented in. * * * *

"An assuming landlord, strongly disposed to convert free tenants into abject vassals, and to reap what he did not sow, countenanced and abetted by a few desperate and designing dependants, on the one side; and on the other, all who have sense enough to know their rights and spirit to defend them, combined as one man against the said landlord and his encroachments, is the form it has since assumed."

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REEDYRILL.

CHAPTER VII.

Bessie Raymond! This moment, as I am penning these recollections of other days,—with the soft music of the piano thrilling through my reveries and tinging them with the magic hues of youth,—your image floats through my soul like an incense-freighted zephyr from a garden of roses.

How *pure* is the first love of boyhood: its pre-eminent characteristic is purity. Thou of gentle and poetic imagination, did'st ever observe the impression produced on thy mind by the heaven-hues of an autumn sunset—by a strain of moonlight music—some dulcet quaver—pathos of modulation—that seemed to shed into your soul a catch of the sweet spirit of melody itself? Such was my love.

I can hardly remember when it was that I first loved Bessie Raymond; it seems blended through all the life of my boyhood at Reedyrill.

Bessie! The rose-bud you gave me, when we parted forever, is withered and dead,—but as I press it to my lips, I find that its fragrance yet remains. So is my love for thee, withered and dead! but its *perfume* still lingers in my heart.

Some minds are said to be of that chameleon nature that takes its hues from the objects and circumstances around it. Mine seemed rather to color all its objects with its own peculiar hue. I will illustrate: my illustration is but approximative; yet it will answer my purpose well enough, perhaps. Look at any object that is dull and dreary to the naked eye, and you experience no pleasure,—find no beauty in it. Look at the same object through a prism: you behold it lit up with a thousand fairy tints,—all is changed by the chromatic action of a different medium.

So with the mind; every mind acts as a prismatic medium, changing and coloring with its own hues the scenes and existences of the objective world. So palpably is this true to all minds accustomed to the analysis of its operations, that the idealist philosopher, seeing all things shifting and changing in the panorama of thought; seeing that the prismatic coloring of the self-same objects varies as the kaleidoscopic medium through which it is viewed varies, maintains that there is no absolute and unchanging substance and substratum of things; denies totally its existence, since to no two it is seen alike; since to the same it is seen hardly twice alike; maintains that all things are but an unreal phantasmagoria of the brain, and that nought but the pure mind is an actual, unalterable absolutism, which he exalts to the divine attributes of a creative power.

I, a poor worm of the dust, conscious of nought that is divine in me, save the breathing *impress* of a superior being, and *that* sensibly of exoteric origin; conscious rather of much that is weak and wicked—more devil-like than divine—not daring, didactically, to dictate, yet humbly would I conceive that matter is real; mind is real; all real. That the hues of life are shifting and changing with the multiform pleasing of the prismatic mind which views it; and by God, and Him alone, are all things viewed, not prismatically, not "through a glass darkly," but undistorted with the colors of truth, in the open light of his omnipotent mind. Herein is found the origin of opinion; herein is found the origin of po-

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etry. This ever-changing, prismatic medium of the *senses*, through which mind looks out upon the material world—partakes of the nature of that mind. In the poet it sheds a rainbow-tinted halo over life.

But distinct, however, from this, is the power of catching the evanescent halo-hues, and, by means of substantive symbolism,—whether of forms, colors, sounds, types or combinations of these,—and arranging them so as to present its own hues to other minds. In absolute degree this may not be done, for each mind will modify with its own colors—as blue and red will make purple—yet, approximatively, it may; and this is the poet's gift.

The minds of most men, however, reflect but the neutral tints.

I have been insensibly led away into this digression in thinking of the peculiar *coleur de rose*, radiant of silvery light, which shed itself over the pathway of this part of my life; and how full of beauty it would seem to all minds, except those which reflect but the neutral tints, did I possess the *gift* to present it to them unmodified by their own sensations and conceptions.

How would they see and rejoice that my *vision* of Bessie, as an avatar of beauty, was no hundredth repetition of an unfelt affectation of factitious sentimentality, but a true and beautiful idealism.

I have said vision, for it was only my dream that was so, the reality was not. In fact, it was true, as Charley Scamper said, that she was only a clothes-line for me to hang my fancies on. She was only the canvas, my own pallet furnished the colors for me to make a picture with.

VIII.

Bessie Raymond was a little brunette, with a laughing black eye, and jetty hair, which she wore in curls over her shoulders; her mouth had a good expression, but her lips were rather too thin.

> "For lippes thinne, not fat, but ever lene,
> They serve of naught, they be not worth a bene,"

yet there was an expression about the corners of her mouth, that played the very mischief with my heart. Her nose was perfect; it was the most beautiful nose I ever saw, of the purest Grecian mould, the most transparent texture, and of the chastest chiseling.

I was sixteen when my love for her was at its height—she eighteen. At that time she was the handsomest woman I had ever seen, and, naturally, I fell in love with her. It was of the foolish and extravagant character which a boy's love always assumes: it generally found vent for the pent up volcanism of its passion, in sundry bad verses addressed to her. I believe I was stupid enough, once, to perpetrate an acrostic on her name, in sending her bouquets of flowers from the green-house; in scribbling her name in a hundred different permutations over every thing that would receive an inscription; in going to church to gaze at her beautiful eyes during the sermon, dropping my own in the uttermost confusion, whenever hers chanced to meet them. My whole soul was wrapped up in Bessie Raymond: she was "the ocean to the river of my thoughts that terminated all."

And she, wicked creature, incapable from her very nature of understand-

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ing, and appreciating my love, was amusing herself with coquetting me in the broadest manner. Not that she did not love me, for in her way I believe she did; but, though I never ventured to tell her I loved her, for I would leave as soon thought of cutting off my head, yet she knew full well that I did, for I was ill skilled in the art of concealing it; and, having none of the sensitive delicacy which was painfully acute in me, she wished to enjoy herself at my expense.

I treasured up my love in the deepest recesses of my heart; it would have been inexpressible torture to me, had I known that any one even suspected its existence but myself. It was too holy for the rude gaze of the world. I never heard her name mentioned, without a thrill through my whole being. I only entertained myself as such lovers are wont to do, with wandering through the groves of Reedyrill, and dreaming of romantic adventures, of which she was the heroine, and I the hero.

But treasured up in secrecy as it was, I felt that I wanted a confidant; I would have made a confession to Scamper, but, though I had much confidence in his sympathy and appreciation, I had but little in his secrecy; and though his high poetic temperament would have been the one I should have most wished to commune with about this eidolon that had enthroned itself in my spirit, yet I feared his wild and thoughtless temper too much to trust him with such a secret. Wad Aukley I could not think of: his soul was cast in too coarse a mould to bear so delicate a burden, and, besides, in him I had a rival—though he never knew it. With all the strong, rough impulses of his warm, yet rugged nature, he worshiped her. He had made me his confidant, moreover, and I was loth to turn and tell him that I cherished the same love that was gnawing at his own heart.

Bolivar I knew would have little or no appreciation, but then I could place the utmost confidence in his secrecy. I made him my confidant; at first, he tried to laugh me out of it, and then to reason; but seeing very soon that either was impossible, he gave me his sympathy and assistance in the best manner he could.

At length I came to the desperate determination that I would make an avowal of my passion. It seemed to me that I could exist no longer without the assurance of a reciprocation of it. Not daring to do it in person, I tried to get Bolivar to do it for me by proxy: this he declined, but persuaded me to write her a love-letter, and that he would be my Mercury.

The idea struck my fancy, and I straightway concocted an epistle—and from the days of the first fool, whose head has been turned by a woman, and that I take to be Adam—for an unique specimen of folly and silliness, I wager it has not had its parallel. I wish I had a copy of it, but unfortunately I destroyed it, and the reader has thereby lost as hearty a laugh as he ever enjoyed.

Bol, as in duty bound, duly delivered this precious pronunciamento of my passion, and was drily told by the black-eyed Bessie that no answer was necessary.

This was after I had quit going to school for awhile, and I did not see Bol for two or three days after I gave him the letter: but unable to endure any longer the suspense, I rode into Haysville one sunny evening, hitched my horse at the gate before Squire Blount's tall and grim old mansion, and found Bolivar in the garden eating peaches. We took a walk in a grove back of his father's house, and seating ourselves on an old

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log, we talked the matter over at length. He told me the unsavory reception the avowal of my affection had met with at the hands of my dulcinea, but at the same time smoothed over my disappointment by bidding me never despair, for he sincerely believed that she loved me, although she was unwilling to avow it to him. It would have required a much harsher rebuff than this to dampen the ardor of my devotion, and though it rendered me unhappy for the nonce, I loved her still the same. Indeed, I would have loved her just as fondly had I known that there was no hope of my ever having a return from her. It was an abstract ideal of beauty which I personified in her that I then worshiped; and even though she loved me not, I had my dreaming left, and

> 'Twas all but a dream at the best,
> And still when happiest soonest o'er,
> Yet e'en in a dream to be blest,
> Was so sweet that I asked for no more.

IX.—THE ROAD TO REEDYRILL.

I don't know why I have imagined that a country road would have any interest to any one but myself: perhaps it may not; but the road from Reedyrill to Haysville is associated with so many endearing ties to me, such multitudinous memories of varied pleadings of beauty are connected with it in my mind, that I cannot forbear paying it a small tribute of love. I would like for my reader to travel it with me in fancy—in imagination—though he may never have the pleasure of traveling it in reality.

How many thousand times have I traversed it in every possible mood of mind—under how many different circumstances—with what varied impressions, and for what different purposes! It was my favorite time for dreaming as I rode or walked along it. Every inch of it is as familiar to me as my own features. It is a *via sacra* to me.

One of the greatest enjoyments I could wish for at this moment, would be simply to take a ride on that road from the village out to Reedyrill.

The warm summer days, when a bright and happy boy, with hopes high, soul unclouded, and imagination tinged with the pure and beautiful romance of my boyish love for Bessie Raymond, that I have rambled along it with Bol and Chunk, picking blackberries, searching for wild flowers, cutting famous walking sticks, finding squirrels' nests, wading over the river and the brook, picking up shells from their pebbly beds, and finding a thousand charming scenes and fancies to blend with my day-dreams of bliss and Bessie!

The clear, bright Sabbath mornings, when, in the beatitude of a soap-washed face and smoothed-brushed hair, impregnated with the peculiar purity and charm that will pervade that holy day, have I rode on my own pony to church!—The stately occasions when, rigged out in my holiday finery, I have rode into town in the great carriage with my father and aunt, to pay a visit to some of our acquaintances!—The times that I have galloped gayly along it on my gallant, graceful Arabian Djalma, with Bessie or Floralie by my side—ah! many an epoch is marked in my life by that road to Reedyrill.

It was just four miles to the village, just long enough to present a vast

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variety without fatiguing. After leaving the "big gate" at Reedyrill, as you passed on towards the village, a tall wood, which lay between us and the Black Oak estates, skirted the left side of the road for half a mile: to the right were the fields and plantations, and pleasant meadows of Reedyrill, stretching back from the road, until they were met by the "Big Grove" to the right, where was the hunting-ground of all Reedyrill. After you had passed the line of the park you could obtain for a mile a fine view of the north front of the home-house, across the fields which were dotted here and there with vast pyramidal roofed tobacco barns; you also had a view of the negro quarters, the white-washed cabins forming a very picturesque little hamlet, overshadowed by a clump of tall trees; and beyond that in the distance could be caught a glimpse of the tall poplars and many-columned porticos of Puckshenubbie.

The road along this section, of a mile in length, was smooth and pebbly, but undulating, for the most part, with little stretches of levels now and then. The next half mile consisted of a level stretch of hard and beautiful road, with the garden-like barrens to the right, and a small plantation, and then barrens again to the left. After this you entered into a lane, large tobacco plantations, with barns, dotting them on either side of the road. Towards the end of the lane, as you approach the gate that leads up to Brookland Hall, a handsome mansion on the right, the residence of Colonel Boyd, one of Colonel Overton's sporting friends, you descend a gentle slope with a hill-side orchard to your right; you cross a charming little stream called Willowbrook, and then out of the lane, with a hickory thicket on one side, and another handsome farmstead on the other. One peculiarity of our scenery here is, that the houses are all built some distance from the road, and generally approached through a woodland or meadow, thereby adding much scenic effect to the landscape.

At the far corner of the last mentioned farm, you find a dark, marshy jungle, tenanted with snoring swamp-frogs, and full of tall trees, thick, prickly water-oaks, with glossy polished leaves, contrasting with the sombre, rugged trunks of the intermingled blackjacks—many graceful and artistic groupings of luxuriant foliage, and rich outlines of old, mossy oaks, about this jungle. The road here was also very smooth and level; and on the other side, for the jungle only skirted one, was a dry, upland belt of high timber crossing the road at length, and shutting out the swamp, and changing into a grass-covered oak opening, with some most magnificent specimens of lofty and picturesque red and Spanish oaks, some of which arched over the road at the mouth of the lane, forming a rural arcade, and deep, delightful shade, from which you issued out into Bernard's Lane. This was a mile long, through a beautiful, undulating country, with a magnificent view of field and forest, and handsome farmsteads around.

At the entrance of the lane was a little "clearing" in the oak opening, with a barn, and a tall, dead trunk of a tree, which formed one of my favorite pictures; and about the middle of the lane was another, a scraggy old post oak, where I almost always saw a heron or a goshawk perched in its topmost boughs, looking out for prey in the fields; and near it, a small sheet of water where I have had much capital duck-shooting.

When you pass through Bernard's Lane, you descend a gentle slope, and turn abruptly to the right along a level piece of a hundred yards, with the fence on your left, and the river—the Indian name of which is Ala-

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chee—to your right. Here you cross the stream at a romantic and picturesque ford, with high, steep banks, overshadowed by water-beeches, larch, tall oaks and poplars, and other noble forest trees, perfectly festooned with sweeping network of wild vines. On ascending the other bank, you ride through the deep, unbroken forest, for three-quarters of a mile, when you come to the Mile Tree, an old hickory in the middle of the road in a charming little dell—the river again coming into view at this point by a short bend; near this tree was a famous "bathing place" of Bol, Chunk, and myself.

Beyond the Mile Tree, you come to fields and meadows again; and a short ride through much fine scenery, brings you to another turn to the right, down a long lane, with the mansion-house of Judge S., and here you find yourself in view of the spires, roofs and gardens of that most lovely village in all Kentucky, Haysville, Chretien County, reposing in a wide, hazy hollow, so shallow that I can hardly call it a valley.

Pass on—leaving the fine old residence of Squire Blount to your right, shrouded amid tall cedars and black locusts, and you find yourself in the streets of Haysville. Sojourn here awhile, reader, if you want to see the handsomest women, the most intelligent men, and the most hospitable, interesting, and clever people in all Kentucky.

X.

After my declaration of love, the cruel Bessie flirted me more unmercifully than ever. The next time I saw her, she came out to Reedyrill one day with Floralie, and as soon as I saw her, I made my exit out of the back door in a hurry, with burning cheek and throbbing heart, I tell you. Snatching my gun, and whistling to Hero, my Newfoundland puppy, under pretence of hunting, I took to the woods. But I did not kill much game that afternoon; in fact, I made hunting only a pretext, and wandered along through the forest, dreaming of Bessie.

That habit of reverie in which the mind enters within itself, shuts out all the outer world, and creates a world of fancy within its own temple of contemplation, and commonly called day-dreaming. I was always addicted to, and I now had begun to live in, an ideal world almost entirely.

I found myself, at length, near the little Gothic chapel, and setting my gun at the foot of an old tree, I took a seat on the parapet of the old stone bridge, gazing into the water as it spread out beneath me into a broad sheet, caused by a rustic dam below, forming a small lakelet for the purpose of rowing and fishing, as well as ornament. A small skiff lay motionless against the mossy bank, and a bandy-legged heron, with his long bill nearly touching the water, was standing on the gunwale of the boat, looking down contemplatively at his own image reflected in the clear water. There was much quiet loveliness in the scene; but my mind was too much absorbed in its own fancies to pay much attention to anything external. I had been here for hours, dreaming away the time, when a noise on the bridge startled me from my reverie, and, on looking up, I saw Bessie Raymond at my very elbow, with cousin Floralie by her side. I nearly jumped from the parapet into the water in my first impulse of surprise and confusion—her large, black eyes, beaming on me full of arch and merry mischief. You may imagine how sheepish I looked and felt, and my first thought was to take to my heels.

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"Head him, Floralie!" cried Bessie, laughing; "for, verily, he looks as though he were meditating a flight."

Finding myself surrounded, I said, "Well, it's not the first time I have been prisoner of war; I surrender at discretion."

"Yes, you'd better," said Floralie; "what made you run off when you saw us coming in the carriage?"

I feigned entire ignorance of their arrival.

"Come, that won't do, Mr. Storyteller!" cried Bessie; "we saw you."

"We want you to give us a ride in your skiff," said Floralie; "if you will, and be right clever and nice, we'll forgive you; wont we, Bess?"

"But let me carry my gun and game to the house."

"Oh! that won't do, Indiano. We'll never see you again," laughed Bessie. "Leave your gun here—and if you'll be obedient to our commands, we will sing a song for you:

> 'As we glide along, my song shall be,
> My dearest *whim*, I love but thee.'"

Bessie soon made up the matter of the rejected address by the most gracious manner towards me; and I now believed she had done it for the reason Bolivar assigned, and in the height of my happiness soon forgot all about it.

As we were returning from our water-excursion, Bolivar, who had just arrived, joined us, and I took the first opportunity that offered, to let him know on what good terms I was with my inamorata.

She said, that evening, as we were playing on the piazza, that her sweetheart had blue eyes, and brown, curly hair; that he was tall and handsome, and not quite so old as herself, and that his name began with E. I made no difficulty in applying this description to myself; and so overjoyed was I, at the conclusion I drew from this frank avowal, that I gave her a bunch of violets, and gallantly offered to peel a large apple she held in her hand; this she consented to, but required from me some assurance that my hands were clean. Mortified beyond measure at this contretemps, I handed her my clasp-knife, telling her she might peel it herself, and stalked off in high dudgeon.

But she mollified my just indignation at this aspersion upon the purity of my digits, by sending me a curl of her raven hair, done up in a rose-colored envelope, with the following pithy motto, of her own composition, written on it: "For my heart's E.'s"—in allusion, I presume, to the violets I had given her, and the initial of my name.

This so flattered and pacified my wounded vanity, that I mustered up courage enough to go into the drawing-room with Bolivar after tea. Two or three other girls had come out with Floralie, and, with Bolivar, Jack Stiles, and Charley Scamper, and Wad Aukley, the latter three having come over from Puckshenubbie, where they had been on a grand water-melon excursion, formed quite a little party; they were amusing themselves with playing "thimble" when I entered. Bessie bestowed one of her brightest smiles on me, and when it came to my turn to be "thimbler," how my fingers tingled as I drew them through her soft and glowing hands, and dropped the thimble in them.

"Who's got the thimble, Kate?"

"I guess Bessie Raymond."

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"Who has it, Floralie?"

"Oh! Bessie, of course."

"Who, Aunt Nora?"

"Bessie."

And no pawns were paid that round for misguessing, for all said Bessie; and how my cheeks glowed when I saw that everybody had divined what I fancied none knew but Bessie and my confidant!

And Bessie would always return my compliment, so that the rest complained of our monopoly. We were getting on in a high-way together. I danced with her three sets that evening, and afterwards she sang,

I love but one—I love but thee,

accompanied with the guitar, and with sundry soft, stealthy glances directed towards me, which killed me outright. In the height of this intoxication, Bol, who was standing by me, nudged me on the elbow, saying in a whisper, "I told you so." Bessie happened to look at us as we were whispering together, and smiled archly; but I fancied I could detect a faint trace of irony lurking about the corners of her thin lips, and the *equivoque* that I imagined I discovered in that smile, haunted me all night, and marred all the happiness I had enjoyed.

XI.

We will now unloose the wings of Time, which have been retarded by the burden of our narrative, and let him take a flight of three years into the future. It is the three last years of my love for Bessie Raymond that he skims thus lightly over.

In that length of time Master Ernie, from thirteen to sixteen years of age, has sprung up into a slender and poetizing young gentleman, and though of rather a quiet and dreamy cast of mind, is withal fond of a little fun in a quiet way occasionally: he now begins to wear kid gloves and a cane, to bestow some care on his dress, consults his mirror, and patronizes a fencing and dancing master; and some of his acquaintances, who wish to flatter him, bestow upon him the appellation of Mr. Kerne. Bessie Raymond, meanwhile, has grown up into a stately and graceful woman of eighteen. Our loves have still continued, though I can hardly say have much advanced—the understanding between us has become better, and it seems to be tacitly agreed upon between us that I am to love her. I have rarely gone so far as to indulge in the luxury of telling her I loved her, and talking with her about my love. But I generally content myself with worshiping her at a distance, and indulging my propensities to build air-castles for her and myself to inhabit, as a fairy prince and princess.

But though I dreamed of an imaginary elysium in which I was always doing some deed of gallant knight errantry for Bessie, the queen of my soul, yet in reality it was very different: some mortification or disappointment was constantly besetting my path; my glowing hopes and fancies never attained their fruition.

I had now ceased going to school in the village, and was under the supervision of a private tutor at home.

In one of my rambles one summer evening in the Big Grove, west of

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the plantation, I encountered Charley Scamper, who, as well as myself, was out with his rifle shooting squirrels. I had just seen one in the top of a high poplar which grew over the bank of a dry branch, and was drawing a sight on him, when—crack! went a rifle from the covert of a high bank beyond me, and my game thus taken out of my very grasp, fell at my feet, and on looking around for the invisible marksman, I saw my friend Scamper rise up from behind the bank, and advance laughingly towards me.

"Halloo, Charley," cried I, "you are violating foresters' laws in picking off my mark while I was in the very act of firing."

"'Pon my word, I did not see you until I had fired myself. But I say, my lad, if you will come with me, I'll show you where you can find better game than squirrels, and in such abundance that there will be no danger that we will shoot each other's mark."

"Why, you haven't seen any wild turkeys, have you? I thought we were now in about the best part of the grove, and I haven't seen any to-day."

"Pooh! I am not talking about the grove. I speak of a place where there are wild deer and buffaloes and bears to be had for the shooting."

"Where do you mean?"

"The fair land of Texas."

"You don't mean to say that you are going there?"

"I am."

"What's in the wind now?"

"Well, the fact is, I am going out there on the most glorious spree you ever heard of. I am going to join the 'Rangers,' and lead the life of a rover—enact Karl von Moor, except on a more noble and honorable scale—have glorious buffalo chases, and occasionally a brush with a herd of Lipans. I want you to go with me, Ernie—you were nurtured in the wild woods—a right child of the forest. You are the very fellow, of all others, I want for a companion. In a short time you will forget all the accursed trammels and conventionalities of that superlative humbug, yclept civilization. You will find the pleasure and charm of a free and roving life on the prairies return to you with a redoubled zest. I know a small company of Rangers near San Antonio de Bexar, who are spirits of the right stamp, a high and noble band of brothers: a young fellow by the name of James—you know him—from this county, who is out there with them, has written to me about them. Come, what say you?"

"Why, Charley, what *has* got into you?" I asked, leaning on my rifle, and gazing in astonishment upon his handsome countenance, which, though lit up with excitement and enthusiasm, yet seemed, nevertheless, overshadowed and beclouded about his heavy brows with an *arriére pensée* which I could not comprehend.

"To tell you the truth, Ernie, I am disgusted with mankind. I have become a true misanthrope. I am cramped, and at the same time disgusted, with this lucre-loving, mammon-worshiping world. But I must make you my confidant. You never made me yours, but your open and tell-tale heart revealed to me the secret long ago. At twenty years I have already loved, and—lost. Yours is a boyish affair of fancy, worth nothing, and easily overcome—mine is an all-absorbing, soul-consuming passion—such wild passion as drives men mad. Is?—has been, I should have said; for I have trampled out the fires in my heart, and there is nothing but blackened cinders left.

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"Yes, I, the indomitable, was conquered," and he curled his lip with ineffable contempt as he spoke, "by a shaft from the golden quiver of Cupid. I was poltroon enough to cower and wince beneath the flashes of a woman's eye. A plague on all cowards, say I—'Give me a cup of sack.'"

"You got *sacked*, I should infer?"

"Ay, there was lime in the sack, too. You know Henriette Boyd?"

"Why yes, to be sure, the belle of C———. She is to marry her cousin, Col. Boyd, of Brookland, I understand. I never dreamed you loved her."

"Yes, I loved her; we were engaged; and now she jilts me for a wealthy numscull of a cousin, at the instance of her dollar-loving father, and with as much sangfroid as she would cast off an old shoe."

"Egad, it's the old tune of Roy's Wife."

"Well, I vowed eternal vengeance and implacable hatred against the precarious sex. And as for your Bessie Raymond, she must have made you drink, or philter-squeezed into your eyes, some of the juice that Oberon administered to Titania."

"Come, you touch the quick, my dear fellow."

"Rem *acu* tetigi—I know. But what say you? Will you go with me to the boundless, bountiful prairies, and lead the life of a freeman—such freedom as your boasted republic gives not—or remain in servile helotage to a petticoat?"

"The life you tell of has many charms to me, but I fear me, Charley, I am joined to my idol; let me alone."

"You are not quite *joined* yet, and, I trust, for your own sake, never will be. How can a youth of your high-toned cast of mind stand the infernal gossipry, twaddle and hypocrisy of a country village of bigoted, brainless, bragging Anglo-Saxon, priest-ridden, hag-ridden, quack-ridden doodles." We walked on together for some distance through the woods, conversing on this subject, he pressing me to go this wild-goose chase with him; and though I had sense enough left to know that such a thing would be the most ridiculous I could do, yet such a charm had the very name of a prairie life to me, and so persuasive were the glowing pictures sketched by my enthusiastic and poetical friend, that I found myself almost in love with the idea. By this time we had made our way down into the side of one of the Reedyrill meadows, some miles, perhaps, from the house, however; and skirting the fence, down a wood-road, we at length found ourselves upon the "big road," near to a *clearing*, where a gang of slaves were at work chopping and burning brush.

"Stop a bit, Ernie, and let's have some devilment," said my helter-skelter companion, as we came in sight of the slaves, though unseen by them, from the intervention of the fence and elder bushes and sassafras, which grew in the corners.

"What are you up to now?" I asked, not seeing the fun he proposed.

"Don't you see that dun-colored mare hitched to the corner of the fence, with a pack and a pair of panniers on her back?"

"I do."

"Now look over yonder, where that group of negroes is collected by a brush fire—look amongst them, and you will see her owner: it is a little sharp-nosed Yankee peddler, who cheated me yesterday out of that very dun-mare, for which he gave me a galvanized pewter watch not worth a

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dollar, for a gold one. He is, moreover, trafficking with slaves, which is against the law, and I have a great mind to punish him for his rascality, and at the same time revenge myself. Now, I happen to know that Madame Dun here has a terrible bad habit of running away, when she once gets started, and I shall show him a Kentucky trick worth two of his Yankee ones. His name is Parson, a great Methodist, a superlative hypocrite, and a consummate villain."

Scamper cut off a short thick bundle of gleditchia triacanthus, which we, in Kentucky, call honey locust, as full of long spines and prickles as a chesnut burr, which are strong as steel, and keen as needles. These he tangled up in the mare's tail in such a way as to be fastened securely, and yet to escape casual observation; he then called the peddler, who pricked up his ears as soon as he heard his voice, and pocketed a bundle of small wares, for fear it was the overseer, who would have had him threshed had he discovered him dealing with the plantation slaves, and came trotting along towards us.

"Halloo, Kaintuck, how de do?" cried he to Scamper, as soon as he came within hailing distance. "How does your watch keep time?—guess you rather got me in that bargain, old hoss. This old crittur aint worth an eternal darn."

"Come, you must'nt abuse her, my young friend here was just wanting to buy her of me, and I told him I had sold her; but perhaps you can trade her to him."

"Waal, if she is so tarnal bad, I gave you the best hundred dollar biscuit for her in all Kentucky. She aint sich alfired poor shakes nuther. I find she has devilish good bottom. Squire Iveson told me no longer 'n yesterday that she has some of the Eclipse blood in her. What say you, Squire? If you are for a trade, I'll let you have her very cheap."

I felt like kicking the rascal for his impudent familiarity; but to humor Charley's scheme, I made no open manifestation of my contempt, and Charley said to him:

"Get on her, Parson, and show off her gait—you, a Yankee! why, you don't know how to trade at all."

Parson mounted her, and setting his arms a-kimbo, dug his heels into her side, which made her give a plunge forward, and a switch of her tail caught the thorns under her flanks: with a kick up and a snort she dashed off down the road like a dog with a kettle tied to his tail; every step she made, the thorns goaded her legs and flanks, and impelled her on with redoubled velocity.

"Hyah! hyah!" laughed a big, goggle-eyed negro, leaning on his shrubbing hoe, and gazing at the flying Yankee. "Dah he go, and dat's him. Ole nargisser; reckon he not cheat ole Sam 'gin wid pewter jack-knife an wooden steel-trap."

At this moment, as luck would have it, Colonel Overton, Squire Iveson, and two or three others, with a pack of hounds before them, broke from a covert of bushes to the right, plump into the road.

"Whereaway?" cried the Colonel. Choking with laughter, Charley could only point towards the effugient peddler, whose panniers had bursted open, and a shower of tin-ware was flying in all directions. With a beautiful view-halloo, the Colonel and his company dashed after him full tilt, the hounds opening on him in splendid mouth.

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"He carries weight, he rides a race,
'Tis for a thousand pounds"—

shouted Charley.

It was a beautiful stretch of a hundred yards, and we got a full view of the whole chase. The terrified Yankee and his dun-mare were flying with the speed of a sea-gull in a gale, and half a dozen rollicking Kentuckians after him, whooping and laughing like mad. The little mare's feet pattered on the gravel in demi-semiquaver time, and clouds of cotton handkerchiefs and other stuffs streamed out from his exploded pack, while tin cups and cutlery flew out with the centrifugal force, like pop-corn from a hot shovel.

A buggy, with two ladies in it, and a lad driving, made its appearance. Coming down the road, their horse started at the unusual sight and discordant uproar which came full cry upon him, and dashed off into a gallop. The gallant Colonel Overton seeing the disaster his frolic was likely to occasion, wheeled his horse to rescue the ladies, but the galloping of his charger only inspired the buggy horse to increase his speed, and the helpless fair ones were whirled towards us with a fearful velocity. As they approached, it did not take long for me to observe that it was Mrs. Raymond and Bessie. Here was a chance to display my heroism that I had prayed for, for years. I rushed out into the middle of the road, determined to stop the runaway or die in the attempt. The horse came dashing on towards me, and Charley shouted to me to get out of the way, or I would be run over. Never shall I forget how graceful and beautiful Bessie looked. She threw her arms around her mother's neck, and resting her head on her bosom, cast her eyes to heaven for aid. But I stood my ground with quixotic firmness, and when the steed came within a few yards of me, he suddenly shied and wheeled short into the bushes, the hind wheel struck a snarly blackjack, and tilted the buggy over with such violent force, that both ladies were ejected in a very miscellaneous manner into the air. Mrs. R. was somewhat of the portliest in size, and she came to earth with a most tremendous squelch. Charles happened to be nearer the spot than I, and was immediately by the side of my fair Bessie, who was more frightened than hurt, before I could get near the scene of action. So I had to go to the assistance of Mrs. Raymond, whom I found in the most piteous plight, and protesting lustily that she was dead. I offered her my hand to assist her to arise, but I soon found cause to repent of such a rash act, for I discovered that without helping herself in the least, she expected me to lift her up by main force. I pulled and tugged, but in vain. At length I caught hold of a blackjack with one hand and hauled away with the other with all my might; in this way I managed to pull her up about three quarters, when my hold on the tree gave way, and down we both tumbled together—Bessie and Charley laughing heartily at our ludicrous mishap.

My dulcinea was gracious enough, however, to bestow a few complimentary phrases on me for my timely interruption of their plight, as we accompanied them to our house, afoot, for the vehicle was smashed into a cocked hat; and though she did not quite call me her preserver, and vow eternal gratitude, in the true romantic style, yet I was tolerably well contented as it was.

The Colonel rejoined us as we walked along, and gave an amusing account of the "death" of the peddler, (metaphorical death, I mean,) who was landed

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in a brush pile, and suffered some severe lacerations from the hounds, before the huntsmen could call them off.

Bessie put in a protest against the cruelty of subjecting a fellow-creature to such treatment; but the Colonel drily remarked, that it was nobody but a Yankee, and that explanation seemed to be perfectly satisfactory to all.

XII.

At this period of my life came the shadow, that, like a dire eclipse, darkened the sunlight of my youth.

My father had for sometime been laboring under a violent attack of gout, and in spite of the skill and careful attention of Dr. Montmery, he sank under it. Chunk and I, and my little sister, Floralie, were left orphans.

Aunt Eliza remained at Reedyrill to keep house for us. Charley Scamper went to Texas, as he said. Wad Aukley entered Squire Blount's office as a clerk, and student at law. It was considered by Col. Overton, who had been appointed guardian and executor by my father at his death, that it was time for me to start for college. Bolivar Blount was also going to Nassau Hall, which was the *alma mater* of my father, and where I was to go, and Bol and I were to go together.

After bidding adieu to all at Puckshenubbie and Reedyrill, I bundled up my duds and drove on to Squire Blount's to stay all night with Bol, and start the next morning in the stage. That evening I went to see Bessie, and bid her adieu. Our meeting was long and loving; we vowed eternal constancy and love, in the ancient established form—but I will not detail the particulars. Only one little memento, that I slipped into her hand at parting, I beg the reader will pardon me for retaining.

AH! DEAR BESSIE.

Ah! dear Bessie, what a life
Thro' this gloomy world of care!
Were you still my little wife,
As in our childhood's play you were,
Hand in hand we'd lead together,
Two hearts linked in love forever.

Ah! dear Bessie, I shall never
Hear thy silvery voice again;
For me its notes are hush'd forever,
But there lingers still a strain,
With mem'ry's echo doth it thrill
O'er my heart-strings quavering still.

Ah! dear Bessie, what a life
Of sunny happiness was ours,
When care and sorrow, worldly strife,
Were to us but passing showers:
The blue sky murking for awhile,
But chased away with sun and smile.

Ah! dear Bessie, now, forever,
You and I, *perhaps*, must part;
But those happy times shall never
In life be faded from my heart.
Those golden hours e'er shall be
Linked in memory's chain with thee.

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Ah! dear Bessie, what a life
Of innocence and joy we led,
Ere with cares our hearts were rife,
Ere youth's gay summer dream had fled;
But, alas! 'tis gone forever,
And we are doomed for aye to sever.

Ah! dear Bessie, *not* forever—
Let's hope, at least, that we may be
Sadly destined thus to sever,
All that's dear to you and me;
That the light of other days
Shall shed no more its cheering rays.

Ah! dear Bessie, let us then
Still hope for future joys in store:
And united once again—
Again to part—oh! never more,
We'll voyage o'er life's sea together,
Two hearts linked in love forever.

The morning of our starting the sun was just rising upon the village of Haysville: a summer sun dawning sleepily with its red swollen disk, surrounded by rosy wreaths and golden-bordered banks of clouds, like a bacchante awaking in the halls of his revelry. The village is still,—hushed in slumber—windows and doors closed; a blue mist floats through the atmosphere, or wreaths away in gracefully outlined volumes from some kitchen chimney.

Here was a sluggish summer scene presented to my eyes as I leaned out of the window. The green waving outline of the forest which could be seen from Squire Blount's, whose house stood in the edge of the town; the green, flower-studded meadow; the slowly creeping, blue-bosomed Alachie; the drowsy milk-maid, pail on head, wending along the winding pathway; the yawning ostler, lazily currying the coach-horses in the inn-yard; all o'erspread by the halo of half-inanimate sleepiness which succeeds a warm summer night and ushers in a warm summer day, throwing one into a tingling half-awake reverie, if one can summon life enough into his turbid and sluggish veins to get out of bed and steal forth into the morning air, instead of turning over and taking a second nap.

It was the sleepiest scene imaginable: one could almost imagine that the spell of an enchanter had been thrown over all nature, similar to that in the nursery tale of the sleeping beauty. The birds, which were carolling blithely in the tall, dark cedars and locusts in the yard beneath my window, seeming to be the only creatures who were endowed with animate life.

But the mellow notes of the post-horn breaks the enchantment, and the large lumbering coach rattles up to the gate, full of bustle and activity.

"Up Bol, my boy! The coach has come, and we must be going." In a few minutes we were dressed and ready, and descending, found Colonel Overton and the Squire through with their breakfast, and smoking on the piazza.

"Go in, boys, and eat," said the squire. "When you get to college you'll have to rise earlier than this, or you'll never make great men of yourselves." We dispatched a hasty meal, and bid our friends adieu.

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The mulatto boy, Parker, who I had elevated to the rank of valet de chambre, was there with my trunk, and while he is securing it and my other effects in the boot of the stage, let me say a word or two of him, as I am about to bid him adieu, and shall not probably get an opportunity to introduce him to the reader again soon. Parker was of cultivated mind, polished address and high parentage, being, as Col. Overton hinted to me, no less than the son of Gov.— of Kentucky. But although a slave, and, of course, with the bar sinister on his escutcheon, he was the most aristocratic and exclusive member of our family. His mother was half Indian, and consequently there was, perhaps, not more negro blood in him than Alexandre Dumas. Parker was a wit, if not a scholar, devotedly attached to the family, by all of whom he was treated with that generous kindness which characterizes the demeanor of the southern gentry towards their slaves. Parker Pattipan was a favorite slave of mine, as a little yellow imp, named Munro, was of Toppy, my brother, and he was on a footing of more equality, and his condition was much less degrading, than that of the Saxon menial of the purse-proud northern.

But while I am descanting on the merits of my valet, the stage is wait ing, so I will e'en get in, for the driver is in somewhat of a hurry.

"Farewell, master," said Parker, who had the politeness of a dancing-master, making a profound salaam—"Your servant would be happy to receive a letter from you occasionally, so that I can hear how you are in health and happiness, you and Massa Bol." "Thank you, Park," said I, laughing, "I will do so with great pleasure, and shall expect the like favors from you." "All ready?" cried the driver. "Go ahead!" responded Bol. He gathered up his reins, cracked his long whip, and the four bays, obedient to his signal, started off at a gallop.

As we passed by Mr. Raymond's, I saw a dark-haired creature standing in the vine-covered portico. I took off my cap and kissed my hand to her. Bessie wove her white handkerchief, and we were the next instant whirled out of sight.

Farewell to Haysville! The coach rattles under the covered bridge, sweeps along the willow-banked stream, passes Edmunds & Torian's Stemmery* buildings, down a green lane, and the village is lost to view behind the intervening trees. After a pleasant drive of six or eight hours, during which I amused myself by chatting with the coachman, a laughter-loving Irishman, we arrived at S——, where we were to take a boat up the Ohio. A magnificent packet was at the wharf, puffing up clouds of smoke, impatient to be off; and Bol and I lost no time in securing a berth and going aboard.

I shall pass over the details of our journey, though they were many, and full of interest and fun. We took the cars at Cincinnati for Sandusky, had a storm on Lake Erie, staid a week at Niagara, returned to Buffalo, took the cars to Albany, went down the Hudson by moonlight, and the next morning we were awakened by the din of the eastern metropolis. We staid a few days in New-York, went to the Astor Place Opera, and took the morning train for Princeton, N. J.

I am sorely tempted to give some account of college life at Nassau Hall, but I refrain, as it does not lie exactly in the train of my story.

After the ceremony of examination, we established ourselves in the

* Storage and manufactory where tobacco is prepared for the Liverpool market.

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second entry of "old North"—were called on by all the Kentuckians at college, and those of the students whom those to whom we had letters thought proper to be introduced to us. We called on all the professors, made the acquaintance of "Old Johnny," and soon entered into the regular routine of college life—smoking, fencing, loafing and studying.

The item of drinking ale might have been mentioned as part of the regular routine, but neither Bol nor myself fell into that. Of course we joined Ohio Literary Hall, for all the southerners and clever fellows were then members of that society.

I fell into a literary clique of young metaphysicians, who spent their evenings in discussing philosophy, the master spirit of which was a young fellow named Gillespie, from Mississippi; and in this sort of occupation my time passed away.

XIII.

In consideration of my being a collegian, and consequently supposed to be conversant with such matters, I am about to present to my readers some few cursory ideas about the collegiate system of instruction in the United States—what I think wrong about it, and how I think it might be bettered. As for the first, I pronounce the whole system defective and worthless.

There are now over a hundred regularly chartered institutions of learning in the United States, bearing the title of college or university, about one-half of which are under the immediate control of some religious sect. Two-thirds of these institutions do not average a hundred pupils per annum, and not fifty graduates. The course of study, in almost all o f them, is imperfect and exceedingly superficial, and the discipline in almost all of them is so miserably lax, that multitudes of young men, who come there with moral character and early religious training, are ruined forever; they become, after two or three years' residence at these places of learning, the professors of most of which are ministers of the gospel—gamblers, roués, infidels or sots—sometimes all. The requisite amount of learning for graduation and obtaining a diploma, certifying, over the signature of the grave and reverend Faculty, that A. B. is *ingenuus juvenis, non tantum moribus inculpatus sed sese labore et studio in artium et scientiarum liberalium cognitione ornatum!* is so utterly meagre, that I have known many of these *ingenui juvenes* who could not translate the Latin on their diplomas, and one in our senior class was actually made to believe by a waggish friend that Julius Cæsar was a general in the Austrian army, and fought against Napoleon Bonaparte. (Fact.)

And, now-a-days, in America, the degree of Bachelor of Arts is not worth a stiver as a certificate of scholarship. Of all this host of mushroom colleges, which are a burlesque upon the name, scarcely any give as thorough an education, whether classic or scientific, as ought to be acquired in a first class grammar-school. So true is all this, that many of the wealthiest and most intelligent men in our country, are ceasing to send their sons to these pigmy colleges at all. And who can blame them, when they find a pure-hearted, high-minded boy, fresh from the care and nurture of a pious mother, come back from college a worthless, dissipated scamp, who has learned to laugh at religion and purity of life as bigotry, puritanism and "greenness?"

When a boy gets to college, he falls in with a herd of young larks, with beard just budding on their chins, who sneer at morality and chastity,

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who revile religion, and blaspheme the name of God a hundred times a day. At first the gambling, drinking, swearing and prostitution which he sees around him is repugnant to his high-toned sensibilities, but constant association hardens him, a thousand insidious snares beset him, his companions jeer him out of his "greenness," as they call it, and, ere long, he falls. It is a notorious fact, that those who come to college the purest and most uncontaminated, turn out the wickedest of all; and the hardened and depraved veterans in vice seem to take a fiendish delight in seducing a freshman who manifests any religious tendency in his character, and making him a devil seven-fold worse than themselves: and they can contrive to dress up sin and folly in such pleasing and plausible guise, that they generally succeed in ensnaring their victim. But suppose he is old enough or firm enough to resist such seductions, or sensible enough to see through the flimsy veil in which Immorality disguises herself—even then he is not safe, for he either falls in with the metaphysicians who are subtle unbelievers, and undermine the soul as certainly as the fascination of pleasure, or else with a class whom we termed religiosi at Princeton, who are a set of sordid sycophantic hypocrites, whose meanness, as soon as it is unmasked, disgusts him, and creates a reaction on his mind which generally drives him into the embraces of dissipation, whose direct seduction he had been able to withstand.

But it is not so much the dangerous immorality which exists to such an alarming extent in our present system of colleges that I am now discussing, for that must unavoidably exist to some degree wherever a number of young men are congregated together, though I believe that its magnitude is owing to the manner in which these colleges are conducted, and from their very constitution, and that a strict and proper discipline would obviate the most, if not all of it; but I am preaching against the glaring failure which they make in achieving the object for which they are established. And this results from several causes, the first of which is, their multiplicity, which renders their resources less, by diminishing the number of pupils of each. The second is their gross sectarian character. Thirdly, the professors are, most of them, unfit for the chairs they occupy, being appointed for their religious bias as much, if not more, than their scientific attainments. And, besides, in small colleges the resources are such that they cannot pay a man of proper attainments an adequate salary; and wherever the salary is stinted, you may of course expect to find only those of limited qualifications willing to labor for such a stipend.

Another reason is, that the terms are too short; no youth can attain a proper liberal education in four years, and where it is as flimsy and superficial as at present, the idea is absolutely ridiculous. This difficulty might be obviated by having a number of high schools throughout the land of an elevated tone, so that pupils could be prepared there for college: but these we will never have while there are so many little picayune colleges spread abroad through the country, granting diplomas and conferring degrees. And these concerns have conferred so many honorary degrees on every individual of a little local notoriety, that the grade of Doctor of Laws or Divinity has become almost as much of a farce as that of Bachelor or Master of Arts. The most sensible of our clergy and men of learning are now beginning to decline the honor.

My plan for obviating this, is to degrade all these little colleges that are worth anything to the rank of Preparatory High Schools; and the many that are utterly worthless, to destroy and annul their charters entirely, and

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supplying them with good teachers instead of humbug professors, turn them into common seminaries of learning.

Then let there be two or three large universities, not more than three at most, say one at the north, one in the south, and one in the west, on the plan of the two great universities in England or those in Germany, perhaps combining the excellencies and avoiding the defects of both. Let them be chartered by Congress, and endowed and supervised also by Congress. Let the house have charge of the finance, and the senate the appointment of the officers and professors. Let them be freed from all the trammels of sectarian influence, but universal and national in their capacity and character. Then we would have a corps of professors who would be qualified for their chairs—then would the degrees of Doctor, Master and Bachelor be something more than a couple of unmeaning letters tagged to the end of a man's name—then would we see learning flourish in America as it never had hitherto.

XIV.

I am not arrogant enough to usurp to myself superior judgment and discernment in such matters. I know from what different "stand points" different men view the same thing. The matter of slavery, for instance. Many of our best and most unprejudiced men—men whose views are not limited by sectional prejudices, or the narrow and cankerous bars of bigotry and fanaticism—men who are not imbued with the destructive and unscrupulous doctrine of infinite and democratic progress—many such men have pronounced it a blight and a curse. It may be so, though I, who have lived all my life where the system is in operation, have never been able to see the curse. I acknowledge there are evils connected with it, but they are few in number, and not of the character designated by abolitionists: nor are they to be eradicated by abolition or any scheme of emancipation, but by a modification of the laws which govern the institution. What these modifications are, I have no time, nor is this the place, to point out. I should be glad to do it; but, no doubt, the reader is tired of my polemics, and I will cease.

I have been led into mentioning this subject from the fact, that since I have been residing here in the free states, and seen the much vaunted system of "free soilism" in full operation, I have had some opportunity of comparing it with our own southern institution. I can merely say, that I never was more strongly convinced in favor of the beneficial effects of slavery.

There is a large class at the North which has but few or no representatives in the south—peasants, serfs and paupers; the first two being supplied by our slaves; the latter we can scarely be said to have at all.

I found a degree of degradation and servility in the northern menials, oppressed and despised by the wealthy and aristocratic classes, which I never have seen exhibited by freemen—for so they are in mockery called—scarcely by slaves in my own land.

The first time I arrived at a northern fashionable hotel, and had a well dressed *white* man, hat in hand, step up to brush my coat, and cringing to the superiority he conceded to me as a southern *gentleman*, and accept a largess from my bounty with as much humility as a slave, I could not but exclaim, "Thank God, we have nothing like this in the South." They have no Hottentot helots born to servilage, and with sense of naught else; but

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they have degraded the fair Caucasian to be the slaves of circumstance and necessity.

While I was penning these reflections, or similar ones—for they have been excerpted from the Journal of my College Life—I was interrupted by the entrance of my friend Bolivar, with a budget of letters and papers from Kentucky. One of my letters was from Uncle Sebastian Overton, one from Thealan, and one from my valet de chambre, Parker Patipan, who informed me of more interesting gossip and tattle than either of the others. As I was about breaking the seal, Bol, who was looking over the Haysville Humbug, called out suddenly,

"Halloo! Ernie, here's some news which will be, doubtless, of interest to you!"

"What is it?"

"Married, on the 20th Dec., by the Rev. Burr Acorn, Miss Bessie S. Raymond, daughter of Robin Raymond, Esq., to Mr. William Aukley, all of this place."

It was a hurricane that swept through my heart.

I was dumbstruck with the suddenness of the shock. A battle, which these words, like a signal trumpet, commenced, now raged in my bosom. The little cherished flowers, delicate and beautiful, which had long blossomed there, were galloped over by these hostile words, and crushed and trampled under the iron heel of fate.

The air palaces I had built were swept away, and a flood tide of bitterness poured in and deluged all.

The storm passed away, the battle ceased, the bitter fountain ceased its overflow; but terrible ravages were left behind. The next two years of my college life were dreary in general; and at times, when a fit of the blues came over me, insupportable. But time, which wears all things, at length wore out my anguish and despair.

My love for Bessie Raymond had lasted years, until it seemed to have grown to be a part of my very being, and its reign had extended over the purest and most innocent days of my life. Although some ill resulted from this first foolish fancy of mine—in that it was centered on an unworthy object; yet, in regard to it, there is much that I look back to with pleasure, and that is chiefly the glorious fairy castle-building which it gave rise to, and the golden dream-hues it cast around the days of my youth.

Bessie Raymond! Little knew you of the purity and poetry of the love I loved you withal. In my sober moments, I never believed that we could be united—more, I never desired it; for while I loved, I knew that we would never be happy, and that you were *not* 'all my fancy painted you.' But I forgive you the thoughtless cruelty with which you encouraged my young heart to waste its affections on a false, delusive shadow—for it has not been without its beneficial results.

The third year of college life found me quite healed of my wounds. And thus ended my first dream of love.

END OF PART II.

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THE SOURCES AND PERFECTION OF THE AMERICAN LAW.

To inquire into the origin of law, would be synonymous with an inquiry into the origin of government; the one not being able to exist without the other. And in regard to the latter, the learned have entertained different views. Locke and his followers considered it as having had its origin in compact; while Aristotle regarded it as a natural result. And the last is probable, when we reflect that the parental is natural, existing without compact, and that the patriarchal, which is the oldest form of government, results immediately from this, the one being but an extension of the principles of the other; though in the latter supposition the laws are arbitrary, while in the former they are not, as they are derived from consent.

Laws, like governments, have always been more or less varying, since they depend on the character of a people for their efficiency: and the experience of the past is alike beneficial in establishing the one as the other; government implying those rules which lie at the basis of the social union aside from the municipal, and also many moral and religious regulations. In glancing at their progress, their various divisions should first be considered, and then at what time, and in what country, they have arrived nearest to perfection. And it will be seen, that while a particular division is rarely ever found flourishing alone, they are as rarely all combined in equal degrees of excellence. This is more especially true in the earlier stages of its history, when, there being little experience in the past, it was dependent for its advancement on ingenious experiment. With regard to the grand principles of government, to discuss up their progress would be to inquire which form is best adapted to man, which would be placing it on a variable basis, since the condition of the one is so changeable, that whatever shall be always appropriate to it must vary also. And the inquiry would result legitimately in an inquiry into the progress of the human race, instead of their institutions. For, unless we could show that a republic was never adapted to the Carthaginians, the present is not in advance of their times only so far as ours is the better republic.

But there seems to be an appointed period when each particular art and science arrives at the highest state to which it is susceptible of being carried. Few nations have shown themselves superior to the Romans in jurisprudence; none to the Greeks in philosophy, architecture, painting, and poetry; none to the Egyptians in the mechanic arts; and if the moderns have attained to more general excellence, they have examples in almost every instance from which to draw their imitations. And in the science of government and laws, they have attained to higher excellence than in the other departments; for, in architecture, we do not even aim at originality; and, at best, we but feebly vie with the ancients in sculpture; while of poetry, there being so versatile a field, the palm of transcendence can be claimed by no time or people.

In considering the various divisions of law, the constitutional has already been spoken of as the principles and rules of the Constitution, which are fixed and stable, of what form soever the government may be; while the political are those which pertain to the policies to be pursued in the intercourse among domestic or foreign states, in their commercial relations and

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home improvements. Those denominated civil, are the rules that are employed in the regulations of townships and cities, in governing the principles of descent through all the intricacies pertaining to real property, and in defining and guarding the rights of individuals; and of the national, which are those by which nations are governed in their transactions with each other, they are applied to as great a variety of subjects as the multiplicity of interests demand. Of these divisions, the first is earliest in being perfected, because of necessity they are employed in all societies, and lay at their foundation, being next to mechanics, and the art of preparing food; and the next to spring up are the civil, for when once societies are formed, the need of laws are felt to guide its members in their transactions with each other, though from the time of forming the society, attention must be paid to the course adopted by the state in its political affairs, and those that pertain to religion may be either incorporated in the constitution, or remain as a separate branch. But the national is of slower growth, and not even yet arrived to maturity. In reflections on our own law, after the thoughts that apply equally to all laws, next follows a sketch of the civil, it being one of the chief sources of our own; and the value of this, in the language of our American commentator, is not to be found in questions which relate to the connection between the government and the people, or in provisions for personal security in criminal cases. In everything else which concerns civil and political liberty, it cannot be compared with the free spirit of the English and American common law. But upon questions relating to private rights and personal contracts, and the duties which flow from them, there is no system of law in which principles are investigated with more good sense, or declared and enforced with more accurate and impartial justice. To this we turn in our inquiries into the rights of absolute and usufructuary property, and the various ways by which property may be acquired, enlarged, transferred, and lost. And trusts are here settled and pursued through all their numerous modifications and complicated details, in the most rational and equitable manner. So the rights and duties flowing from personal contracts, express and implied, and under the infinite variety of shapes which they assume in the business and commerce of life, are here defined and illustrated with a clearness and brevity without example. But this provision for personal security, which was wanting among the Romans, was reserved for the English in their law of habeas corpus and trial by jury. And here, also, the laws of evidence were brought to their present state. Rome and Britain are the two great sources of jurisprudence. That part of the Roman jurisprudence which has been denominated the ancient, embraced the period from the foundation of the city by Romulus, to the establishment of the twelve tables. And though the accounts concerning its progress under its kings are illy preserved, it was during their time, or as early as their expulsion, that the foundations of the best institutions were laid. Twenty years from the expulsion of the Tarquins, they began to feel the need of written law, and, accordingly, by joint consent of the senate and tribunes, a commission of three persons was instituted to form a system of law, the result of which commission was the celebrated tables which formed a distinguished era in the Roman law, and constituted the commencement of what has been called the middle period of the Roman jurisprudence. And these tables, in the language of the same learned commentator, contain a great deal of wisdom and good sense, intermixed with folly,

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injustice, and cruelty. But Cicero, in his De Republica, insists that the ten first tables were composed with the greatest equity and prudence, but declares that the two last, added by the decemvirs, were iniquitous laws, and that the law prohibiting marriages between plebeians and senatorial families was a most infamous one.

But the obligation of the twelve tables was gradually diminished or destroyed by the multitude of new regulations, such as the plebercite, enacted by the plebeians; the leges, passed at the instance of a consular or senatorial magistrate by the aggregate body of the people, patricians and plebeians; the senatus consulta, by the authority alone of the senate; the edicta prætorum, or judicial decisions of the prætors, and the opinions of lawyers, called the *responsa* or *interpretationes prudentum*, composed another and very efficient source of the ancient Roman jurisprudence. These *responsa prudentum* resulted at first from discussions undertaken gratuitously by persons of the highest rank; but, afterwards, the work of discussing these questions grew into a public profession, and law became a regular science, taught openly, in private houses as in schools. Then the philosophy, and policy, and wisdom of Greece were collected together, says Gravina, by the Roman civilians, and all that was useful introduced into the Roman law; and if it were really true that the twelve tables were not drawn by the rough agents who compiled them directly from Grecian fountains, for Livy and Dionysius of Halicarnassus say, that the deputation was sent to Athens to learn the laws and institutions of Greece, we are assured that the omission was abundantly supplied in after ages; and the institutions of Greece were studied by more enlightened statesmen, and contributed to adorn and perfect the Roman law.

But, up to this time, the laws were in an undigested state: and the design of reducing the civil law into a convenient digest was first conceived by Cicero, Pompey, and Julius Cæsar, though no systematic authoritative treatise appeared during the republic. The first authoritative digest which appeared, was the Perpetual Edict, in the time of the Emperor Hadrian, then appeared the Gregorian Code, and the Code Hermogenia, and also, the Theodorian Code. Then appeared the masterly and voluminous works, compiled by the order of Justinian,—works which collected into a focus the lights scattered over centuries, from whose concentrated rays England and the world have long drawn light, and whence the accomplished American jurist, this day, is proud to be instructed in the nice distinctions of private rights. And when we reflect what master minds gave turn to the laws of Rome; what learning they had recourse to in the past; how many centuries were required to give birth to those works so masterly; and when we think of the almost endless variety of subjects to which law is applicable, and of the perfection required in the principles pertinent to each;—those works, themselves however admirable soever, appear but beginnings of the completeness and perfection which is to be wrought out in this most delightful science, while we are filled with astonishment at the accumulated genius and labor required in the accomplishment of the magnificent and perfect design.

Having thus glanced at the Roman, we next come to the English law, and this we find divided into two classes: The lex scripta, or the written, and the lex non scripta, or the unwritten, and the first obtained their force by immemorial usage, and the second by statute; and of these statute laws, those made before the time of King Richard the First became to be considered among the unwritten laws; and, doubtless, many that are rank-

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ed among the first class, had their origin in statutes or constitutions; and as regards the origin of the common law, Sir M. Hale thinks that it had its origin in the Island of Britain, though for particular concurrent reasons, the laws of Normandy were, in many instances, so similar, that many have supposed that they had their origin in the latter country, and were introduced from thence by William the Conquerer. And the spirit of those northern nations seems particularly to have favored the liberty of the subject. Whatever may have been the origin of trial by jury in its present state, it may be said to have originated in England. Roman judicature was exercised on ordinary occasions for near three centuries by the patricians exclusively; but the Greek tribunals agreed more nearly with our notion of juries than the Roman. The former generally admitted of the citizens at large, and we have no knowledge of the writ of habeas corpus, which the citizens esteem invaluable, before it made its appearance among the English laws. The English were possessed of minds peculiarly fitted to make practical their sentiments of liberty; and their whole history in their contests between their kings and the cardinals, and also between rulers and subjects, exhibits their zeal for this. But it was a long time before they obtained to that system, in some respects so admirable, and perhaps in all, when we take into consideration their government, for it would not be politic or wise for a monarchy to adopt the same principles of legislation as a republic, as laws must be adapted to the form of government they are to uphold. And from the origin of their laws to the present time, there are intermediate laws, whose injustice shows how difficult it is to erect an admirable system of jurisprudence. And England's prosperity began by the breaking up of the old and time-honored empire; and while its inhabitants flocked there, Picts and Danes, and various other tribes, resorted thither also. And while trial by jury, which Sir William Blackstone claims to be of Saxon origin, was practised previous to William the Conqueror, yet, trials among people at that time, strongly tinctured with superstition, were permitted to be by ordeal. But at the time of the last mentioned king, trial by combat, as a last resort to determine facts, took the place of trial by jury, and it was under this same king that feudal tenure was introduced, it being a genuine consequence of the fact, that all the lands in England were derived from, and holden mediately or immediately of the crown; and, says the same author last referred to, the nation at this period seems to have groaned under as absolute a slavery as was in the power of a warlike, an ambitious, and a politic prince to create. But at the time of King John were enacted the two famous charters of English liberties, Magna Charta and Charta de Foresta; and at this time the King's Court of Common Pleas was fixed at Westminster, that the suitors might no longer be harassed with following the King's person in all his progresses. And it may be well to remark here, that the Charta de Foresta redressed many grievances and encroachments of the crown in the execution of forest laws, while the Magna Charta confirmed many liberties of the church, and redressed, among other things, many grievances incident to feudal tenures, and protected every individual of the nation in the free enjoyment of his life, his liberty, and his property, unless declared to be forfeited by the judgment of his peers or the law of the land. And the third period of the history of English laws commences with the reign of Edward the First. Under him it was allowed that the land be charged to pay debts contracted

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in trade, contrary to feudal principles. He also established a new limitation of property by the creation of estates tail; he prevented the encroachments of the Pope and clergy, by limiting and establishing the bounds of ecclesiastical jurisdiction; he defined the limits of the courts, abolished arbitrary taxes, gave up the royal prerogative of sending mandates to interfere in private causes—established a repository for the public records of the kingdom; and in his reign the forms of writs and the pleadings consequent upon them were perfected; and it was probably in his reign that the Commons were separated in their sessions from the Lords; one of the first productions of which new-modeled assembly was the statute for defining and ascertaining treason. Under him the manufactures were encouraged by prohibiting the exportation of English wool, and the importation or wear of foreign cloth or furs. And this king, who so perfected the English law, that Sir Matthew Hale affirms that more was done in the first thirteen years of his reign to settle and establish the distributive justice of the kingdom, than in all the ages since that time put together, hath justly been styled the English Justinian.

The fourth period in the progress of the English law was in the reign of Henry the Eighth. In his time the devise of real estate by will was allowed, which before was, in general, forbidden; and the statute was passed, which had for its object to destroy the intricate niceties of uses, though the common law failed to carry out the design which was corrected by the courts of equity assuming the jurisdiction. And at this time the ancient assurance in conveyancing by feoffment and livery fell into disuse, and in this reign estates tail were reduced to little more than conditional fees; and various other changes were made which facilitated the commercial character which the nation was then assuming. And in the reign of Charles the Second was passed the habeas corpus act. Magna Charta only in general terms declared that no man shall be imprisoned contrary to law; but this act points him out effectual means as well to release himself, though committed even by the king in council, as to punish all those who shall thus unconstitutionally misuse him;—and also, in the reign of this last prince, was passed the statute of frauds and perjuries, a great and necessary security to private property; together with many other wholesome acts for the benefit of navigation and the improvement of foreign commerce; so that the constitution of England had at this time arrived at its full vigor. And since the revolution in 1688, the bill of rights has been passed—trials by jury have been regulated—effectual methods have been devised for the speedy recovery of rents—paper credit has been introduced and established—and the foundation of the great principles of marine jurisprudence have been laid; and the same principles of redress have been adopted by the courts of common law as have prevailed in the courts of equity, by extending the remedial influence of the equitable writ of trespass on the case to almost every instance of injustice not remedied by any other process.

In this view of the progress of the English law up to the time of Sir William Blackstone, we have endeavored more particularly to mention those laws which pertain to property and to the freedom of the subject, than those rules which pertain to the establishing of particular tribunals—for any other method would have involved greater length than would have been allowed—and, besides, anything else should be properly looked for in a history of the English law, where the contentions of the ecclesias-

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tical and civil orders—the establishing and breaking down the power of the Pope—the contentions of king and parliament—the abuse and curtailing of prerogative—the establishing and the breaking up of the court of high commission and the star chamber—the ratifying and nullifying of laws by successive reigns and parliaments—the perversion, the abuse, the right use and progress of the constitution—in short, where is traced the progress of this nation from a few scanty inhabitants, through the mazes of superstition, priestcraft and bigotry, onward to where a light, a glory envelopes it; and a people once mute to the world through their orators, philosophers, and poets, publish its renown—and that island, which was but an insignificant portion of the globe, is mistress of the seas—and those that once looked to Greece and Rome for laws, now give model laws to the world; and besides this, its national and maritime laws would be included; upon which subject, and the matters of interest pertaining to it, many volumes have, without exhausting it, been heretofore written.

And next follow our own laws, intimately connected with those of the mother country. International law is confined to no particular portion of country, but being the practice of the most enlightened nations, it is materially the same among them; and of the mercantile, these have, likewise, much of similarity; and, also, the maritime, though a portion of these are not of necessity the same among the nations that trade with each other. But with us, the laws which pertain to the rights of individuals, had been clearly defined in the mother country, and being adopted by us render our judiciary as essentially English. And the grand principles of our constitutional law is not so widely different from theirs. Theirs is a mixed government, aiming at durability; ours is no less mixed, but aims and tends directly to the happiness of the people. But the law of property has become a grave question, which enters into the considerations of government, especially the laws of descent. With the Greeks, says Sir Matthew Hale, the males were preferred to the females, while among the Hebrews, the eldest son inherited a double portion, while the daughter did not inherit at all. But with the Romans, the law in this respect was different at different times; though under Justinian it was like our own, which gives to all, male and female, alike, without regard to age; and in this respect lies the great difference between our own and the English laws, though theirs, perhaps, are better adapted to their policy of government than ours would be, while theirs would be illy adapted to ours. If the few are to be kept powerful, the land should not be cut up into small portions, but should descend in such a manner as to enrich the few to the exclusion of the many. This policy is best adapted to a monarchy, but our own is best adapted to a republic whose virtue is equality. The rights and liberties of the individual were first clearly defined and provided for by the English laws, and with us have been carried to a degree of perfection which the Greek or Roman never experienced; freedom of speech, liberty of conscience, without restraint, is here recognized. Men are here free to every act except a wrong, the allowing of which would destroy all freedom. Those laws pertaining to the rights of individuals, which first attract our attention among the Romans, and are admirable among our Saxon ancestors, have here assumed that spirit of perfection which it should be our aim to have in constant memory, that they be cherished and practised.

And it was previously remarked, that the national law was last per-

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fected. Accordingly, among even the Greeks, we find this in a backward state; so much so, that, even in the most enlightened ages of the Grecian republics, piracy was regarded as an honorable employment; though the Amphictyonic council had for its object the institution of a law of nations among the Greeks. And the sound judgment and profound reflections of Aristotle naturally raised his sense of right above the maxims and practices of his age. But this is but an instance of which many are found in all ages, of minds infinitely in advance, if not of the minds, at least of the practices of their age. I make this remark, because the thoughts of great men are not so much in advance of the sentiments of other men as of their practice. But the Romans exhibited stronger proofs than the Greeks of the influence of regular laws, and there was a marked difference between the two nations in their intercourse with foreign powers; and at the zenith of the Roman power, the enlarged and philosophical mind of Cicero was struck with disgust at the excesses in which his countrymen indulged their military spirit. And in the latter ages of the Roman empire, when their municipal law became highly cultivated, the law of nations was recognized as part of the natural reason of mankind. But the Roman jurisprudence, in its most cultivated state, from the want of the Christian system of morals, retained, in regard to the precepts of national duty, strong traces of ancient rudeness. Then the irruption of northern tribes of Scythia and Germany overturned all that was gained by the Roman law. But from this night the nations by degrees emerged by the help of those regulations, many of which, at the present time, are considered as blemishes; one instance of which is the feudal system. And at this time, too, the principles of Christianity began to be applied in the conduct of nations towards each other, and the influence of chivalry was beneficial upon the laws of men; and also the introduction of the study of the civil law, and treaties, conventions and commercial associations, had their beneficial influence on the national law.

These various causes had restored it to some degree of science, when Grotius, induced by the suggestions of Lord Bacon, made an effort to reduce the law of nations to the certainty and precision of a regular science. "He arose like a splendid luminary, dispelling darkness and confusion, and imparting light and security to the intercourse of nations." He resorted to the works of philosophers, historians, orators, poets, civilians and divines, for the materials out of which the science of public morality should be formed; and the support that he gave to those truths by the concurrent testimony of all nations and ages, has contributed to that reverence for the principles of international justice, which has since distinguished the most enlightened nations of Europe. Then followed Puffendorf, Mariens, Bynkershoeck and Vattel. But we now appeal to more accurate—more authentic—more precise and more commanding evidence of the rules of public law, by a reference to the decisions of those tribunals to which, in every country, the administration of that branch of jurisprudence is specially entrusted. But these are still aids where those more authoritative are silent.

And as enlightened sentiment is the source of all progress, it is especially so in the department of law. A belief in witchcraft gave rise to barbarous laws concerning it; and the bigotry of the times of Henry the Eighth was the cause of the most enormous persecutions; and the opinions of men may become so perverse, as to disregard all law, to rise above

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every restraint, to pass every landmark. Hence the sentiments of the times in which a law originated, should be taken into account in determining its adaptation to the case presented. The civil law punished sorcery with death, and by one of the statutes of the last mentioned king, all witchcraft and sorcery was felony, without benefit of clergy. But in the time of George the Second, prosecution was forbid against any person for conjuration, witchcraft, sorcery or enchantment; and the law further keeps pace with opinion, by declaring that person guilty of a misdemeanor, who pretended to use witchcraft, tell fortunes, or discover stolen goods by skill in the occult sciences. Indeed, all law originates in opinion, and they are to purify it, and restore it to that perfection which Nature has everywhere evinced. Among the statutes of Henry the Sixth is found this idea in Norman-French: "Scripture is the common law upon which all manner of laws are founded."

And since the introduction of Christianity, and in consequence of the light and learning that it has thrown upon all subjects, there have arisen two schools, the one advocating a rigid adherence to precedents, while the other maintains that the judge should exercise his discretion. The two questions resolve themselves to this: when the reasons in which a law is founded, and the causes from which it originated, are the same, and the things contemplated parallel with the preceding, shall the judge invariably be governed by the precedent, or in anywise exercise his own notions of justice? For when the reason no longer holds, or the cause no longer exists, no one reasons that the precedent is to govern. But, again, may not the former decision be against justice and the common sense of mankind, and therefore not to be adhered to; and if the judge has no power to pronounce against it, where is the power superior to the wrong? In the words of that accomplished statesman and lawyer, Sir James Fox, in matters of law, as indeed in all other matters, great authorities were arguments; but authorities, great as they might be, must sometime or other clash with reason; and if the authorities were clear one way and reason another, it would produce the greatest of all mischiefs, for reason must triumph. But the case can hardly be so manifestly wrong, though, if it should be, it might be rejected as a precedent; for if the common sense of mankind is against it, it can hardly mislead one to perform a wrong act without his being conscious of the wrong, and in such a case deserves punishment notwithstanding the precedent. This is said of the criminal law. And this, too, contemplates its earliest stages, before precedents are of sufficiently long standing to be entitled to that authority which is claimed for them. But a long and established course of precedents on a particular point of law, are entitled to the reverence of the bench and the bar, unless where the reason or the application of the thing is changed. But again, in matters of trade and policy, there occur many instances, where moral right does not enter into the question, but mere matters of convenience; and in these cases precedents should be adhered to with the strictest rigor, otherwise the unsettled and fluctuating state of the law would result in much prejudice to commerce. And not making a distinction in the two classes of cases, has given rise to the warm discussions upon it. And, again, in the other instance, a question may arise whether the discretion does not amount to a precedent, which should be avoided, if there be any other means of remedying the evil, and this can be remedied by applying to the legislature; it being especially desirable, in free insti-

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tutions, that there be no uncertainty in the law. And it is remarked by Sir William Jones, with that elegance of expression which characterises his writings, "That the maxim in law, that nothing that is not reason is in theory excellent, but in practice dangerous, as many rules true in the abstract are false in the concrete; for, since the reason of Titius may, and frequently does, differ from the reason of Septimus, no man who is not a lawyer would ever know how to act, and no man who is a lawyer would, in many instances, know what to advise, unless courts were bound by authority, as firmly as the pagan deities were supposed to be bound by the decrees of fate." And, again, it is said by Lord Coke, that sooner than the states be allowed to suffer an inconvenience, it must be borne by the individual; and besides, these cases cited must not be confounded with the instances where there are no authorities to the point, for if the case miscarry because no instance of the kind before had occurred, it would retard the progress of all law. And when we consider the progress of institutions since the propagation of Christianity, it is not so much a matter of surprise why society did not advance more in these things, as that the state was governed so well previous to its introduction. But the energy of the people was employed in war; and among those more advanced in the science of government, as the Hebrews, the Chinese, the Greeks and the Romans: The Hebrews had a Divine lawgiver, Moses, and the Chinese had some admirable plans of polity, such as requiring all that aspired to a place in state to be familiar with the writings of that great luminary of ancient philosophy, Confucius, and to go through with an authoritative and rigid examination of the same; while the Greeks and Romans supplied the want of Christian morals, in a measure, by the watch over the dawning disposition towards vice, which was kept by the censors. And among the Romans there seems to have dwelt a wonderful light of reason, as displayed not only in their jurisprudence, their policy, and their institutions, but also by their philosophers, one of whom, Cicero, in his De Officiis, lays down the most admirable rules for guides in matters of right and duty; and his decision regarding the merchants bearing grain to one of the tributary islands, is still beyond the practice of Christian nations, while they acknowledge its justice. But since the introduction of so perfect and philosophic a code of morals as is exhibited in the Christian religion, and the consequent diffusion of enlightened sentiment, and the knowledge of justice, the heart has received new culture, former errors have been eradicated, and the perfection of institutions and laws, the genuine result of these, is no longer a mere matter for the enthusiast to declaim upon, but the most enlightened reason, and the most comprehensive forecast, alike look for and require it. No other age has manifested such a tendency towards this state of things as the present. This, or the next succeeding, is to introduce that great political economy, the moral of the Bible. The maxim that governments are for the good of the governed has already ceased to be a mere abstraction, and men labor to bring about the happiness of the many, the good of all. Christianity, by whose aid jurisprudence has arisen to its present stature of beauty, and governments been purged of their crafts and policies, of knaves and demagogues, and politics been enlarged by more comprehensive measures, shall baptize them with her mystic waters, and incorporate them into a common sisterhood with the majesty of her truth. It shall be the origin whence they receive their invigorating power, the planet whence they in their lesser orbs draw light.

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MACHINE POETRY:

OR, LINES BY THE YARD-MEASURE.

THIS, reader, is *our* title of a long string of verses which have appeared in the July number of an old friend, the "AMERICAN WHIG REVIEW." The author's somewhat more pretending title is, "SIR AMELOT DE VERE; A FRAGMENT. By ——, author of Prometheus and Agamemnon, &c., &c., &c."

From among the crowd of beauties and merits which, as we read the verses appended to the foregoing title, rush forward, each claiming precedence of notice, it is difficult which to select. So, to save ourselves all this trouble, and to prevent any of them escaping due notice, we shall quote very freely from the "Fragment," commencing with the opening lines, which combine many excellencies. They are the beginning of an address by some mysterious voice to the hero. All italics belong to us:

> "'If thou wouldst win her—mark me well—
> Ravenwood's beautiful Isabel,
> For the slightest glance of her azurn eye,
> *Thou must be willing to live or die.*'"

Did ever poem open with verses flowing with such rhythmical smoothness and harmonious melody? And note, reader, the admirable construction—"Ravenwood's beautiful Isabel!" (Apollo! what a combination of words for a verse!) being, as our old school teacher would say—and oh, how we wish we had him here now, to *do* the mechanical and verbal criticism for us, his pedagogical spirit would so revel in it!—being, we repeat, put by apposition, with "her" in the first line. But the last line is the crowning glory of the quartet:

> "*Thou must be willing to do or die.*"

Was ever so original and grand conception embodied in so high-wrought, poetical language! "For the lightest smile,"—to quote in sequence—

> "For the lightest smile of her *radiant lip*,
> Or a kiss of her finger's rosy tip,
> Thou must be willing to cast away
> All that thou *holdest dear to-day*—
> Kindred and country, and friendship true,
> *All that is old for one that is new.*"

Rum-de-de-dum, te, rum-de-de-dee! as the refrain of some old song goes, of which this last line is a very exact echo. "*Radiant lip;*" we have heard often enough of radiant *eyes*, radiant *looks*, &c., but this "radiant lip" is a poser, passing our poor comprehension altogether. We wonder much what color it can be of, that it is *radiant*—jetty, *glossy black*, would, we opine, approach nearest to it. But then our heroine is no *African* demoiselle, nor even a "Paynim," of any race, but a fair English lady,

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as we are subsequently told. Tasso, poor prosing fellow, never thought of such a feature for his fascinating enchantress, Armida:

> "Thou must make her name a sovereign spell
> For all who *own Amelot's Isabel;*
> That they who ne'er saw her, shall strike for her fame,
> And then render mercy in Isabel's name."

Rhythmical smoothness again! particularly in the second verse. But that is not what we are after. We have been hard chasing, for a good ten minutes of a sultry July day, after the ghost of an idea or meaning, which, after intent examination, we fancied we saw flitting about that line. Had there been the slightest intimation given that it was Isabel's sway, or power, or beauty, that "all owned," and not her ladyship's self, we could comprehend it,—and this was the phantom we gave chase to; but after hunting it down, it proved to be not even the shadow of a ghost. *Poetic license*, that most convenient hobby-horse on which to scale so many of the Parnassian break-neck obstructions and chasms, cannot avail here. Neither can "*own*" be supposed to be here used in the sense of *possess;* for though, as we see by looking further on, the heroine is made to be a desperate coquette, yet she does not appear to be common property. So we give it up, exhausted and in sheer despair, unless the "radiant lip" is really black, and the *fair* owner a "fugitive."

The next paragraph prescribeth what the knight must bravely do, and what he must bravely refrain from doing—acting the part of the bold, daring warrior, and of the mild, modest Joseph, at the same time:

> "If thou wouldst win her—mark me well—
> Ravenwood's beautiful Isabel,
> Thou must be first in the battle's brunt
> When the bravest shrink from its iron front;
> * * * *
> The foremost ever in ladies' grace,
> Yet cold as snow to the fairest face.
> Men must fear thee, and women love,
> But thou must be *true as the widowed dove.*"

Were ever so hard and unnatural terms exacted of a *preux chevalier?*

The following passage, which commences the next paragraph, is admirable for its grammatical construction, and for a sort of dinner-bell jingle, which is perfectly delightful. It, too, contains *one* verse—the last—the sense of which is about "as clear as mud;" though, in this instance, we *do* discover the ghost of a meaning. But what school urchin ever escaped a sound flogging for putting words together so bunglingly as is done in that line? Here is the passage:

> "If thou wouldst win her—mark me well—
> Ravenwood's beautiful Isabel,

(Here you have those smooth rhythmical verses again, reader; and they occur no less than six times in the course of the poem)—

> "Thou must be hers, and hers alone,
> In every thought thy soul doth own:
> Not an eye for the brightest, an ear for the sweetest,
> Courteous but cold unto all thou meetest;
> Not a *hope* in thy heart *but still to be near her,*
> *All to worship, yet something to fear her.*"

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That is, "*thou must be hers*," but *thou must not be* "an eye for the brightest," &c. So it reads, and though the sense is discernible, it cannot be made to *read* in any other way. But this we might possibly be disposed, as we are in a remarkably good mood, to pass over, as a poetic license, were it not that the next line reverts to the regular construction with the substantive verb *to be*; "*Thou must be* courteous, but cold," &c. Such botching would be unpardonable in our luckless school-boy.

"Not a *hope*," &c. We presume *wish* is here intended; and here the construction changes back again to the verb *have*, unless "*thou must be*" is changed to "*there must be*," when lo! pat comes that last and exquisite line, with the construction changed still again back to "thou must be"—

"*All to worship*, yet *something to fear her*."

And if this last verse does not merit the medal (a *leathern one*) for clearness of meaning, and especially for elegance of idiomatic construction, then we give it up.

Ill guerdoned indeed would be the knight of De Vere by the meed which is next promised him, were he to suffer half so much exhaustion in the performance of what is appointed for him to do in order to gain it, as does the reader in the perusal of the details of these exploits.

"And then, when thy fame is on every tongue,
Broad as thy banner in battle flung,

(Quære, how wide is that fame which is as broad as a banner? and what kind of military evolution is this of *flinging the banner in battle?*)

"Then, when thy lance shall have *given her glory*,
And made her the theme of each minstrel's story;
When Europe, and Afric, and Araby
Shall own her the brightest and *best to be*,—
Then, when thy trust is in her alone,
Then, when thy life, thy soul is her own,
Then must thou hold thee guerdoned well
By *one cold smile* from Isabel."

This expression of the knight's lance "giving her glory," reminds us of the phrase which the boys in our school-days, as we remember, used to have: when one had a spite against another, he would threaten to "*give him Jessie*." But we presume the idea intended to be conveyed in the present instance is of a different kind from that implied in the play-ground phrase. Also, we particularly admire the propriety and elegance of "Araby" and "*best to be*," coupled as rhymes.

But our knight, poor fellow! after all the deeds of prowess to be performed by him for the cold boon of "one cold smile," is promised the privilege of coming in, even for that, only as "one of the crowd:"

"Like sunbeams on flowers her smiles shall fall,
Lovely and loving, on one and all."

And then, reader, just look at him enjoying the boon when the proper time has come. Is not his attitude, and the whole scene, worthy of being embodied by a Raphael, *or a Hogarth?*—for instance:—

"And thou shalt win no higher prize
Than *leave to look in her lustrous eyes*."

Or, if she concedes to him any warmer favors, or, perchance, promises him *all*, it is only to tantalize him after; as is discoursed in the lines that next follow:—

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"Or if she shall give thee her love to-day,
To-morrow's frost shall freeze it away.
And if thou lay thee down to-night,
Blest with her *promise* of *near delight*,
To-morrow shall find her as cold and as far
As the wintry sheen of the farthest star."

These are the first lines we have thus far met with, containing any life, or warmth, or real meaning. But, surely, our knight must be a very platonic hero, even for the days of chivalry, if he be willing to incur the imminent risk of breaking his neck or being run through the body, for the privilege of looking in a pair of big, cold eyes; and then can feel himself supremely "*blest*" when he lays him down at night to rest from his arduous efforts, with a mere "*promise* of near delight." But being a very modest bachelor, we instinctively shrink from a close examination into the merits and full purport of this particular passage. Though, in one word, we suppose that, for consistency's sake if nothing else, it is to be inferred the lady does not keep her promise, inasmuch as the hero has already been most positively assured that he should obtain no farther favors "than leave to look in her lustrous eyes."

The last couplet above possesses poetic merit, the first instance of it we have yet met with. But even here, the beauty is more than half spoiled by two incongruous ideas being pointed to the same simile: "Cold as the wintry sheen of the farthest star," is not an unpoetic idea, or inelegant expression; but when it is added, that she will be as *far off* as the *sheen* of the *farthest* star, the incongruity strikes at once. The light emanating from the *farthest star*, no less than that from the *nearest planet*, is, as we take it, in *contact* with the *observer's* organs of vision.

The next paragraph starts off as follows,—

"If thou wouldst win her—mark me well—
Ravenwood's beautiful Isabel;
If thou wilt do all this I have spoken,
Thus, as I rede thee, thy fate shall be wroken."

Oh, ye gods! help our poor, shattered, aching bones; and protect those of our author's muse, whose jolting Pegasus (no winged steed like him of olden time, but a mere shambling, four-footed, terrene beast,) is now floundering along at a fearful gait, maltreating his rider much worse than did Sancho Panza's ass when following the long strides of his master's Rosinante; and much we fear he will make a clean tumble of it at the very commencement of this stage. But no; he is on his legs still; and having got bravely over the most rugged part of the road (which must itself have been "wroken" in the time of Moses, or of the Saxon Heptarchy, at the latest), he now shuffles on again with a tolerable degree of sure-footedness. And now we will withdraw our eyes from him for a moment, to take a glance at the spot we have just passed over so hazardously.

And here, again, (we pass over the rhymes) the felicitous, construction of the couplets—the way they are linked together, challenges our admiration. The lines paraphrased, without changing the construction, read precisely thus: "If thou wouldst win her, provided thou do what I have enjoined, thus shall thy fate be wrought out," &c. Admirable, truly! How our luckless school-boy's ears suffer again! But let us turn to the adventurous progress of our galloping muse:

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"Thou shalt make her proud herself to see
In the mirror of thy chivalry;
Thou shalt make her to love thy fame as *her own*"—

(An assurance, by the way, of somewhat ambiguous meaning, as regards the extent of her love for *his* fame, after the equivocal character that has been given her.)

"To live in the light of thy great *renown*;
In thine absence to blush when thou art but named;
To be eloquent if she hear thee blamed;
Yet then shall she love thy deeds, not thee,
For false is her bosom, and false shall be.
* * * * * * *
Thy friends she shall sever, thy peace undo,
Yet still shall thy love be loyal and true;
All but thine honor shalt lose for her sake.
Pause, then, nor rashly the strife undertake."

Well might the knight pause; we only wonder he had not been cautioned to do so, some stages back. The veriest love-cracked bedlamite could find nothing attractive, or love-inspiring in such a cold, unlovable she-devil, as the heroine is now made to be. But no, our dream-beridden hero is not yet allowed time to reflect; nor we, to take breath. There is one stage more, and let us get over it:

"If thou wouldst win her—mark me well—
Ravenwood's beautiful Isabel,
Grant her, the sweetest child of earth,
The loveliest creature of mortal birth—
Grant, if thou will, that she may be won,
As all things may beneath the sun,
By talent and toil—by sorrow and sinning—
Mark me well—Is she worth the winning?"

This last line is very suggestive; suggestive of many things, some of which go essentially to the merit of the poem, or "fragment."

And first, we ask the reader if the elaborate description given of the heroine, (we say nothing of the hero, for he has been sleeping quietly and passively all this while,) brings up before him the image of a living, breathing, warm-blooded creature of human shape, capable of emotions, and endowed with sentiment and passion? To be sure, her qualities and *points* are duly enumerated. She is the "beautiful Isabel," six times repeated, as if to impress the fact more strongly on the reader's *memory*, not on his *imagination* or in his *fancy*. She also has "radiant lips."—(Shades of Solomon, Horace, Shelley and Byron, start not!) She has "lustrous eyes" too, we are informed, (though we can't see them before us;) and so has the big doll-lady in the shop-window up Broadway. We are told, also, that she can blush; but for the life of us, we cannot see how that is possible. A fiendish *diablesse*, as the description *represents* her to be, endowed with none of those palpable fascinating qualities which, like those possessed by the immortal enchantress of Tasso, can allure to their possessor's voluptuous embraces the self-conscious victims of her spells, our author's heroine appears before the reader not even in the lines and lineaments of a wrought, much less a "breathing" *statue*. She is the rough block of marble prepared for the artist's hands, and "grotesquely" *labelled* in the appropriate places, thus: "*Eyes, azurn and lustrous*,"—"*Radiant lips!*" "*Rosy-tipped fingers*," and prominently on her forehead that-is-to-be, "*Beautiful Isabel*;" and you have her *physique* complete.

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As to her *morale*—heart, she has none, as we are told plainly. She is cold, treacherous, mischief-loving, malicious; all which might be let pass, but that she is almost wholly emotionless and entirely and emphatically devoid of sentiment and passion; and hence, devoid of these and of life-like palpable outward charms, she is, of course, on every principle of human nature, and (to speak in a literary view of the subject) according to all just and recognized canons of criticism, wholly incapable of inspiring any lively emotion, or any sentiment or passion in a sane man. Nor is the hero placed in a materially different attitude towards her, in this respect, from that of the reader. For though, as is subsequently implied, the former had before heard of the beautiful Isabel, that was the extent of his knowledge; and he was evidently wholly ignorant of her character and moral qualities, else this long account of them that is drummed in his ears, and for his especial benefit, means absolutely nothing.

Let us see what impression it makes on him. He now starts up from his "magic sleep," and no wonder. We are only surprised that he has not done so long since, with such rugged rhymes, describing such perilous adventures, and prescribing such appalling conditions, *dinging* so long time in his ears. Had he not waked soon, the trump of doom had surely never aroused him. He starts up; and now, also, Pegasus, much to the rider's relief, no doubt, and certainly very much to ours—starts off at a tolerably easy hand-gallop:

> "He started from his magic sleep,
> Beneath a cedarn thicket deep
> In a glade of Lebanon.
> And was it fancy—was it, sooth,
> A form of air, or thing of truth?"

Namely, a vision that, "clad in a robe of hazy light," appears floating "athwart the setting sun," between our hero and the "old sacred hill." Gradually it wanes, till the sunbeams pierce it through, though it remains still visible; and

> "He bounded forward—it was gone;
> And in that haunted glade alone,
> With bristling hair, but dauntless breast,
> The chosen champion of the West
> Stood like a carvéd stone."

But still was ringing in his ears (and we are not surprised at that, the notes of a hurdy-gurdy, eternally *ground*, would do the same) that perpetually recurring couplet. But to conceive it a burden floating on the air "softer than sweetest human singing," supposes an ardor of imagination truly wonderful. We had all along thought quite differently of it, as we plunged with desperate resolution over the ground. But who shall fathom the profundity of some authors' self-complacency?

> "Still in his ears those tones were ringing,
> Softer than sweetest human singing;
> Still he could hear the burden float
> Clear as a seraph's liquid note:
> "If thou would'st win her—mark me well—
> Ravenwood's beautiful Isabel!"—

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If our hero had not gotten gloriously drunk when at "the cedars," and waked up with a full dose of the horrors, seeing things not visible, and hearing sounds palpable to no sober sense, surely his imagination—not to say his wits—must have been as much distempered as were ever those of the Knight of La Mancha. "Tell me," said that hero to his squire, on a certain occasion in their adventures, as his historian relates, "seest thou not the knight who is coming towards us on a dapple-gray charger, and who wears on his head a golden helmet?" "What I see," replied Sancho, "is nothing more than a man on a gray ass like mine, and who has something on his head that shines." "But that is the helmet of Mambrino," rejoined Don Quixote. * * The fact about the helmet and the knight was simply this: In those parts there were two villages, one so small that it had neither an apothecary nor barber; and the barber of the other served its people in the double capacity of blood-letting and shaving; wherefore he carried a brass basin with him, and as it happened to rain, and being destitute of a hat, he had placed it on his head instead. And these were what Don Quixote mistook for a knight and a golden helmet. * * A when he saw the poor horseman arrived near him, without saying a word, and putting Rosinante at the top of his speed, he dashed at him with lance in rest, with the full intention of running him through and through." * * *

Our doughty and amorous hero (to return to him) now forms a desperate resolve, and ratifies it by terrible, but not very impious oaths:

> "And I WILL win her—by the grave
> We fight from infidels to save!
> Nor might of man, nor demon's power
> Shall turn me! Is she not the flower,
> The pride, the gem of *English earth*,
> Where more of sweetness hath its birth
> Than in the world beside?"

That smacks of John Bull, ever the same, as well in the eleventh as in the nineteenth century.

Fired at which thought, the muse groweth rampantly excited, and causeth Pegasus to plunge at a most fearful rate, as followeth:

> "And whoso saith she hath a peer
> Beneath bright heaven, I tell him here,
> I tell him, Amelot de Vere—"

Hold! Hold! Much we fear Pegasus is going to plunge headlong down the declivity of Parnassus! But no: he regaineth his footing, and rusheth onward:

> "Let him be man of human mould,
> Or fiendish knight, such as of old,
> With mortal champions vied,
> Let him *do on* his arms of proof,
> Or hold his coward head aloof—
> I tell him, he hath lied!"

We congratulate the author on his having landed the party safe and sound, no necks or bones broken. And now, on recovering a little our somewhat disturbed senses, there seems to be something—a word here and a rhyme there—vaguely floating about in the regions of our memory,

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associated with school days and juvenile oratory, with which these lines chime in as a grotesque travestie. Ah! here is the tail end of it, which we seize as it is escaping away:

* * * * * * *

"And if thou said'st, I am not peer,
To any lord in Scotland here,
Lowland or Highland, far or near,
Lord Angus, thou hast lied!"

The history of our hero's acts proceedeth:

"He paused—

(Out of breath, no doubt; we are, at least.)

"He paused, as though he thought to see
The gleam of fiendish panoply,
With blazoned shield and waving plume
Emerging from the cedarn gloom."

Evidently terrified at the phantom which a fevered and distempered imagination has conjured up; and much we fear our hero's courage, like that of Bob Acres, is going to "ooze out at his fingers' ends." But no: he escapes this last test. His mortal defiance seems to have dismayed, even more than it did himself, the "demons of the wood"—"black spirits and white, blue spirits and gray;" for

"All was silence, deep and still,
On *Solomon's immortal hill.*"

Here, again, we are sorely bepuzzled. "Solomon's immortal hill:"—Where is that? Our geographical knowlege is, we know, growing somewhat rusty. But, for our life, we can recollect no hill, much less an immortal one, called Solomon's, on the map of Palestine, unless, by a figure of speech, the one in Jerusalem on which that sapient monarch built the Temple, might be so called. But, then, our hero is in a "glade of *Lebanon*;" which mountain, if we remember rightly, is some distance from Jerusalem. We have it at last, by the help of a friend. Turning, in our perplexity, to an old lady friend who sits near us as we write, *knitting*, in good old-times-fashion, we begged her assistance. So taking off, wiping, and then re-adjusting her spectacles, she read the two passages as we pointed her to them; and, after a moment's cogitation, "Doesn't Solomon's hill," said she, "mean mount Lebanon itself? Because you know," she added in an argumentative tone, "the Good Book tells us Solomon got the cedar trees to build his Temple with from Mount Lebanon." This, of course, set the matter all straight.

"All was silence," as we have seen, and—

"The sunshine slept upon the sod,
The very cedars seemed to nod,
So tranquil was the glen."

Very good, again; but then our sore-beset hero now gets another start. But we did him, we fear, some injustice above. His courage "oozeth not out at his fingers' ends," after the manner of that of Master Robert Acres';

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for the next line exhibits him, on turning with a start,—(at what does not distinctly appear)—as making ready to show fight:

> "He turned—he started—and his hand
> Fell to the guard of his good brand:
> Was it a trumpet's tone,
> That started all the forest round,
> And wakened with defying sound
> The mountain echoes lone?"

Indeed, we are utterly unable to answer the query, not having heard (in fancy) the sound; and besides, having some doubt about its occurrence, as the author himself has, for he goes directly on to say—

> "'Twas silence all; or if that peal
> Was sooth which made his senses reel,
> So soon it passed away,
> That Amelot uncertain stood,
> Whether the demons of the wood,
> Or the mere coursings of his blood
> Distempered, and his dreamy brain,
> Had mocked him *once, and yet again:*

(In other words, on two distinct and several occasions)

> "With cheats most like reality."

(We incline very strongly to the supposition of the "cheats," instead of the bona fide "demons")—

> "And to his dying day
> He knew not: for such things fell out,
> In after time, as made him doubt
> Almost his own identity."

In very sooth, the cause of our hero's start, *is* a sore puzzle. Had the scene been laid in the mountains of California, instead of Palestine, we should suggest that a *grisly bear* or a gang of *cayotes* had been attracted to the locality of the sleeping knight, and were prowling about among the chaparral. Yes, it was doubtless something of the kind; for we recollect, (our recollection always comes to our aid, at a pinch,) *another* celebrated poet says, that—

> ——"*Panthers*, after set of sun,
> Rush from the roots of *Lebanon*."

The identical Mount Lebanon, and precisely the same hour of the day! So this is now all much clearer than "mud."

And here we would remark, that if the quality of suggestiveness is any merit in a literary production, as by all critics it is conceded to be, then this part of the poem possesses merit of the highest order; for one passage of three lines suggests—not a single train of ideas, but—nothing less than an *entire Epic!*

> ————"For such things fell out
> In after times, as made him doubt
> Almost his own identity."

What prolific themes for the Epic Muse here loom vaguely up, in this

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dim haze of suggested scenes and incidents of thrilling import! Expressive silence hymns their terrific grandeur!

Luckily for this doughty champion of the Cross, doubtless equally so for the chronicler of his knightly deeds that-were-to-be-performed, and assuredly so for the reader—the spell here ends, as all spells sooner or later must. Convulsed Nature resumes her wonted regular course—the elements, for a time disturbed by so potent a cause, and for so adequate a purpose, are hushed into repose; and the night, for aught that we are told or left to conjecture, is as tranquil and serene as night ever was. Our hero now bethinks him of his companions of the Christian host, and, most likely, though we are not so informed,—of his supper, too.

The passage next following that last quoted, completes the poem, or, rather we should say, *ends* it; for, as will be seen, its closing lines are equally suggestive as the passage we have before noticed, as being suitable whereon to hinge an Epic.

> "But now he turned him to the host
> Encamped on Syria's sultry coast;
> And as he passed the mountain down
> Amid the shadows falling brown,
> And heavy dews, he only said,
> *With resolute gesture of his head,*
> And hand upon his war-sword's hilt,
> The Cross: By all the blood we've spilt!
> Let them bring all the powers of hell
> To aid—I WILL win Isabel!"

Observe him, reader, striding down the mountain side, shaking his head determinedly, and grasping his sword-hilt convulsively! The description is deficient in one point only, to make him the very counterpart of one of old Homer's Olympic gods—the earth does not shake under him in sympathy with the motion of his head. But failing in this, does he not remind you of one of the Blind Bard's *Heroes*, at the very least, striding forth in classic majesty,—a world of pent-up wrath heaving his mighty bosom,—to annihilate a Trojan host? Is there, however, any similar object, any such inspiring motive, to fire the daring resolve and intensify the passionate ardor of our hero, as "a second Helen to fire another Troy?" Not at all; but a lifeless, soulless statue, or, rather, a dream of one, so vivid (not to the reader's, surely, and we doubt if to even the *hero's* perception) as to produce the ascribed effect of the apparition, on his waking and rubbing his eyes, of a very ill-defined, dim, and impalpable something, labeled, after the manner of the heroine, across its sunbeam-pierced breast, (for brow, or face, or head, it has none,) "*Beautiful Vision.*" And for this the hero belashes himself into this terrible tempest of passion—this *furor heroicus*, defying all earth, and the infernal powers to boot. Though modeled on a cast half Homeric—half Middle-Age-chivalric—he still appears before us as nothing more nor less than a tolerable copy of the crazed knight of La Mancha. But, then, the poem has the merit of being very suggestive, as we have seen, at its close; and so, too, in regard to its commencement, where we are told it is a "*Fragment*"—(*our* sentence does not halt here, reader; we mean as we say, for we consider the title in this case no less poetical—a part of the poem—than most that follows it,) this significant word suggesting in itself nothing less than an entire Epic—one, too, very likely, all in readiness to regale the literary public withal;

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and of which—extracted from the body of the First, or the Twenty-fourth Book, (it might be either, indifferently,) this fragment is a specimen—how fair a one the reader can judge, as well as we, for we have treated him to the whole of it, barring some dozen lines which claimed no notice, as they contain no glaring defects, nor gross absurdities.

The merits of the fragment itself may be summed up with fairness and critical precision in a very few words: Barring a half dozen couplets at the outside, it contains, neither in its conception nor execution, one particle of genuine poetry; but on the contrary, is an ill-constructed mass of labored turgidity and bungling grandiloquence, spiced with piquant incongruities, and done into rhyme.

And where, we are constrained to ask, is the "responsible editor" of the Review, that such a specimen of poetry is permitted to find its way into its hitherto somewhat fastidious pages? Is he rusticating during these hot July days? If so, we don't blame him for *that*, but only for having left his bantling, as he certainly has done, in charge of the printer's devil. For at the close of the Number, (which contains, by the way, several prose articles of nearly equal merit with this "fragment,") we find an "editorial note," which, among other things, says—evidencing a remarkable degree of critical acumen, as well as skill in literary composition in the writer—"Our friends will be, we think, amply compensated [for the absence of articles on political subjects] by the *rich* historical and *literary matter* which we *present* in the *present* number." This smacks very much of a *green* hand—of a mixing up of very dissimilar vocations. The old adage is a good one: *Ne sutor ultra crepidam*, and we commend it to the consideration of the editor-substitute.

Editorial Note.—Our contributor, who evidently possessed a keen sense of the ridiculous, in addition to a very respectable amount of skill as a literary critic, is not, we suspect, an old strategist, otherwise he would more precisely graduate the weight of his battery to the strength and importance of the enemy to be vanquished. Whereas, he has arrayed and brought to bear a whole park of artillery—Paixhan guns and all—to annihilate—a mosquito. And yet we are not sure that this critique does not do injustice to his judgment and experience both. As he intimates, this "fragment" may very likely be the precursor of an epic "avalanche" from the same source and of similar merit. And with this dire anticipation, it was, not unlikely, our critic's ulterior purpose to give a convincing proof of his abundant means of annihilating the main body, should it venture to appear, by thus opening a round discharge of his heavy artillery to sweep away a small and insignificant avant-guard. And for this timely precautionary step, the literary public certainly owe him their thanks.

As for our worthy contemporary, writhing in the agony of a thrust under the fifth rib, dealt by our contributor, we can hardly help pitying him, though he certainly deserves the blow. Our contributor is right in his conjecture in regard to the absence (withdrawal) of the (late) "responsible editor" of that monthly; his sagacity thus preventing him from doing a gross injustice to that gentleman's literary taste and ability. While, in regard to the present literary supervision of that Review, he hits even more pointedly in his closing sentence, than, as we suspect, he was himself aware. We advise our contemporary to take his admonition to heart, and make a *timely* and appropriate application of it.

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FINANCIAL AND COMMERCIAL REVIEW.

MONEY continues very plenty at all the cities of the sea-board, and is rather in excess of supply, although it is at this season generally when it is most in demand. It becomes plenty as the fall season commences, bringing down the new crops in the hands of dealers for the payment of city debts. The great increase which has taken place in business in the last few years, has, of necessity, produced a larger amount of paper which figures largely in bank returns, and by enhancing the profits of the institutions, induces the creation of a greater number, and they multiply more rapidly now than at any former period in the history of the country.

The returns of the New-York Banks show extraordinary results, and are as follows, comparatively:

BANKS OF NEW-YORK CITY.

	No.	Loans.	Specie.	Circulation.	Deposits.	Bal. due b'ks.
Feb'ry, 1845	26	$32,235,242	$5,887,446	$5,596,139	$21,745,865	$5,528,941
Dec., 1848	26	41,031,247	5,850,424	5,783,492	21,413,148	5,864,022
March, 1849	26	43,521,441	4,523,775	5,460,399	22,928,554	9,804,973
June, 1849	26	48,515,471	9,586,305	5,539,572	27,227,184	8,536,794
Sept., 1849	26	49,922,265	8,022,246	5,990,100	28,482,228	8,591,310
Dec., 1849	26	52,877,371	7,169,016	6,073,348	28,868,488	——
March, 1850	26	56,430,647	6,861,501	6,752,688	32,067,937	——
June, 1850	27	59,878,038	10,753,682	5,919,363	35,861,139	11,461,663
Sept., 1850	28	62,466,800	9,061,763	6,571,153	37,203,202	12,034,078
Dec., 1850	29	65,454,319	11,011,104	6,955,829	40,562,762	13,489,402
March, 1851	31	66,610,268	7,922,480	7,317,958	38,171,656	13,477,646
June, 1851	37	70,714,259	7,934,651	7,079,586	40,736,649	——

Since December, 1848, the loans have gone on to increase $30,000,000, or $1,000,000 per month, and the deposits have doubled. The exports of specie between the March and June returns amounted to $14,500,000, and the banks show, notwithstanding, an increase of $12,000,000 on hand. The number of banks has rapidly increased, but so also has the amount of business, and all the old banks continue to show large dividends. From the low point to which loans sank in 1845, the upward progress has been uninterrupted until the present time; and the same is true of the balances due banks, and of the deposits until the March quarter, when, for the first time in a long period, they declined under the demand for money growing out of the spring imports. The progress of the spring business, with the large receipts of produce and the active foreign market, have restored the abundance of money, and again swollen the bank deposits.

The foreign markets for United States produce will, for the present year, show a very largely increased amount of exports. The sale of surplus productions on the part of England and the United States, since the change of the policy of the former in 1842, and of the latter in 1846, has very much increased as far as value goes, as seen in the following table from official sources, reducing pounds to dollars:

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EXPORTS OF GREAT BRITAIN AND THE UNITED STATES.

	United States.	Great Britain.	Total.
1844	$99,715,179	$227,428,911	$327,141,090
1846	102,141,893	277,172,800	379,314,693
1847	150,637,464	282,360,000	442,997,464
1848	132,904,121	205,674,800	338,578,921
1849	132,666,955	305,260,800	437,927,755
1850	136,943,911	341,904,000	478,847,911

The surplus exports of both countries have increased 50 per cent. since the abandonment of the protective principle by England. She then began to buy United States farm produce, and of course to pay for it with the products of her own industry. The farmers of the western United States were admitted to compete with those of England's aristocracy in supplying the English people. The products of English industry, instead of being applied to the payment of food bought in England, went to the farmers of the United States, and a mutual increase of exports involved necessarily a mutual increase of imports, and the enormous development of international trade manifest in the table resulted.

The progressive nature of United States exports to Great Britain is seen in the following table:

EXPORTS FROM THE UNITED STATES TO GREAT BRITAIN.

		1836.	1840.	1843.	1849.	1850.
Oil, sperm,	galls	203	378530	322030	565624	683970
Whalebone,		—	29320	187182	451466	506884
Naval Stores		193618	191948	144916	317418	306980
Ashes,	tons	198	—	354	693	295
Beef,	bbls	—	—	6886	72850	60520
Tallow,	lbs	—	—	3651614	5598227	2254613
Butter,	lbs	—	183509	1059775	548557	1642494
Cheese,	lbs	—	—	2313643	16007402	11603552
Pork,	bbls	—	—	3240	111385	44631
Hams,	lbs	11861	1061	656328	53150465	27377769
Lard,	lbs	—	—	4569404	21288265	31692591
Flour,	bbls	161	167582	19436	958813	369717
Tobacco,	M. lbs	82418	891706	337951	911526	1140899
Wheat,	bus	..	6033	—	1072680	316926
Corn,	bus	..	519	—	5077220	5947246

In the present year all these figures will be very much higher. Thus the article of flour already reaches 1,200,000 barrels, against less than 400,000 barrels last year. It will probably be the case hereafter, that food of Western production will far exceed in value the exports of tobacco and cotton, which have hitherto composed two-thirds of the national export. It is not the mere value of the article sent abroad which is a matter of congratulation, but it is the guaranty of opening markets for goods in the regions of the interior commanded by rail-roads, whence these supplies are derived. It is of little avail that immigrants pour into the country and break up the new lands, if the produce of that land is not available to the farmer in the purchase of goods. That it becomes so, is evident from the large supplies, which are the money with which goods are paid for. The swelling traffic here indicated, involves an increase of paper to represent it, and hence it is, that, although the banks confine themselves to short business paper, they find a constantly increasing amount. The discounts are now double what they were in 1845—that is to say, the payments into the banks are double—but the means of paying are still in greater proportion, and money is more abundant now than then.

The country is full of natural wealth, and is possessed of great facilities for

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reaching market at a moment when the European markets are opening for their reception. The recent accounts of a rapid rise in breadstuffs in France, has imparted much activity to shipments here, and a rise in the price of the vast quantities coming down the canals, the Mississippi River, and every avenue of trade, will add probably fifty millions to the payments from the country to the sea-board, and produce an abundance of money, and a demand for goods never before witnessed. The flour, pork, corn, cotton, and gold, with which we can supply the world, are guarantees against any very decided manifestations of ruin for the present. The supply of the precious metals has far less to do with the abundance of money than is generally supposed. It is only one product of industry, when every product has as much purchasing power as gold. The receipt of 100 barrels of flour in New-York pays a debt for $400 as effectually as 25 ounces of gold; and when, throughout the whole extent of the country, rail cars and canal boats are seen loaded with freight, pressing forward to supply an increasing demand at home and abroad, no serious fears of an immediate revulsion need be indulged.

The coinage at Philadelphia for the past six months has been as follows:

GOLD COINAGE AT THE PHILADELPHIA MINT.

	Double Eagles.	Eagles.	Half Eagles.	Quarter Eagles.	Dollars.	Total Philadelphia.	Total N. O.	Grand total 6 months.
Jan.	2116020	None	None	253900	251046	2620966	690000	3310966
Feb.	4560980	—	—	333315	188702	5082997	750000	5832997
M'h.	5683940	—	243315	95260	263220	6285735	2000000	8285735
Ap'l.	2354880	211790	—	222270	387118	3176058	590000	3766058
M'y.	1734940	366250	215000	561690	422682	3201262	1200000	4401262
June	2610300	121270	356180	285610	279888	3653248	1090000	4743000
	19061060	599310	814495	1752045	1792656	24020266	6320000	30340266

These very large supplies of coin, of which an increasing amount is derived from New-Orleans, through the incapacity of the Philadelphia mint to coin all that is offered, are the source whence the money reservoirs of Europe are filling up; and should, as now likely, peace and the present Constitution of France be preserved, the effect of those large supplies advanced, will be to raise prices there for American produce, and by so doing effectually benefit the whole industrial interests of the United States.

The amount sent forward in the first three weeks of July, is very little more than Mexican indemnity and dividends paid by the government—that is to say, the movement is from the government vaults, and no longer from the bank vaults. The payments of the government are from the money collected at the ports of entry, and not from the reserves it has at the mint. Thus, out of $11,147,346 in the Treasury on the 30th of June, there was in the mint to the credit of the government $6,780,000, while the amount in New-York had been drawn down to $635,138. That amount of nearly seven millions has been idle in the mint for more than six months. It is in the shape of bullion, and cannot be paid out, by reason of the incapacity of the mint to coin it. The loss of interest has been $300,000 to the government. The imports are now small, and the government must have its bullion coined to meet its expenses; and to enable it to do so, the public must wait for the coinage of the fresh arrivals.

The exchanges are from every point of the Union in favor of New-York, bringing large specie balances from all points into the city to replenish the

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foreign drain; but the foreign exchanges are also now falling, under the enhanced exports and diminished imports, and good sterling bills are now sold at 10 *a* 10½. These are indications of an easy money market.

The exports of specie has been as follows:

EXPORTS OF GOLD FROM THE PORT OF NEW-YORK, APRIL 5TH TO JULY 19TH.

	Europe.	England.	West Indies, &c.	Total.
United States gold	3,130,416	10,047,101	615,341	13,782,858
" " dust	1.986	7.000	—	8.986
" " silver	1,637,300	697,000	38,000	2,272,300
Mexican coin	332,537	350,000	57,450	739.987
Foreign silver	732,886	132.237	76,150	941,273
" gold	229,460	66,541	30 608	326,609
Doubloons	—	—	729,756	729,756
Total	6,054,585	11,199,879	1,547,305	18,901,759

Of this amount, $4.451,760 went forward from July 1st to 20th. Considerable amounts arrived in London from St. Petersburg, and the quantity in the Bank of England is again on the increase, while that in the French Bank continues to do so.

SPECIE IN BANK VAULTS IN NEW-YORK, PARIS, AND LONDON.

	New-York.	London.	Paris.	Total.
December 25, 1848	$7,920,230	$73,143,717	$46,588,339	$127,652,286
December 25, 1849	10,565,270	81,934,000	83,848,000	176,897,270
December 25, 1850	12,617,000	73,324,216	93,003,470	178,944,686
April 8. 1851	11,505.000	67,218,215	107,321,322	186,044,537
June 16, "	11,385.000	67,760,000	108,126,230	187,271,330
July 20, "	10,810,451	68,720,162	111,035,290	190,565,903

Since the discovery of the California mines, the accumulation of gold in the banks of these three cities has been equal to the product of those mines. Hence from that source the channels of circulation has received no additions as yet. It will be observed in the table of bank returns, that the specie held by the banks, June 30th, exceeded $12,000 the amount they held March 30th—yet during the intervening three months, $15,000,000 of specie had been exported. The amount of specie has now little influence upon the abundance of money, because the produce, which is the basis of all business, is abundant, and readily commands sales.

The amount of capital expended in the last four years in the means of bringing produce to market, has been immense. Thus the number of miles of railroad opened in the United States, and the cost, are as follows:

	Length in Miles.	Cost.
In 1846	5,535	120,115,937
In 1851	10,092	306,607,954
Increase	4,557	$186,492,017

This is a pretty round sum to be spent in four years of "tariff ruin" without being felt, in addition to $80,000,000 of war expenses, $20,000,000 in shipping, and other expenditures in commerce and trade, besides the large sums indicated for town and country taxes. When we remember that all this property is directly profitable in dividends, and indirectly opens lands to market invaluable, we may depend that we are a good ways from ruin yet, and that the ill success of the extra session of 1841 was not entirely fatal to the national existence.

The amount of business which these works, as well as the canals, transact,

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increases even faster than the works themselves. We may first take the New-York canals, showing the tons of agricultural productions that arrived at tide-water on the Hudson, via the canals, in three periods of four years:

	Tons.		Tariff 1842. Tons.		Tariff 1846. Tons.
1836	173,000	1843	346,140	1847	897,717
1837	151,468	1844	378,714	1848	685,896
1838	182,142	1845	447,627	1849	769,600
1839	163,785	1846	628,454	1850	926,048
Total, 4 years	690,395		1,800,935		3,279,261

The large receipts of 1846 and 1847 were the consequence of the short crops abroad; but the receipts of the last year of low prices were more than double those of 1845. For the present year (1845) the receipts will be immensely larger than last year. Thus the receipts from the opening of navigation to the close of June, have been as follows:

	1850.	1851.	Increase.
Flour, barrels	633,420	1,151,906	518,486
Grain, bushels	2,598,575	4,774,610	2,176,035
Butter, lbs	736 017	950,880	214,863
Lard, lbs	5,771,446	9,276,910	3,505,464
Bacon, lbs	7,157,647	9,074,973	1,917,326

Grain and flour have nearly doubled in quantity this year, and the exports from the United States to Great Britain alone have been:—

	Flour, barrels.	Wheat.
1850	321,324	430,329
1851	1,054,731	978,687
Increase	733,407	548,358

The rail-roads of New-England, being in the manufacturing districts, are those which are supposed to be most obnoxious to this disastrous influence of low duties. We will, therefore, take a table of their length, and the number of passengers and tons of freight they have transported:

MASSACHUSETTS RAIL-ROADS.

	Length, miles.	Passengers, number.	Freight. tons.	Net income per mile of road.
1846	545	3,990,318	1,329,944	81
1847	691	5,556 576	1,769,332	79
1848	846	7,293,777	1,958,331	85
1849	992	8,742,579	2,167,757	100
1850	1,053	8,856,656	2,219,050	99

	1850.	1851.	Increase.
Harlem Rail-road, 6 months, to July	223,201	283,866	60,664
Little Miami Railroad, 6 months, to July	180,078	220,439	40,361
Erie Railroad, for June	120,324	224,722	104,398
Michigan Southern, 6 months, to June	35,707	112,774	87,066
New-York and New-Haven, to June	37,015	45,427	8,412
Rochester and Syracuse, to June	84,032	98,368	14,366
Norwich and Worcester, 6 months, to June	116,843	123,284	6,441
North Branch Canal, 6 months, to June	32,400	40,368	7,967
Pennsylvania Canals, to July 1	891,973	967,433	75,460
New-York Canals, to July 14	1,059,413	1,297,834	238,420
Michigan Central, year to June	691,972	947,347	255,375
Baltimore and Ohio, 6 months, to June	805,030	807,728	2,697
Chicago and Galena, 6 months, to June	9,953	18,866	8,912
Albany and Schenectady, 6 months	1,101,631	120,010	18,389
Total	$4,389,574	$5,308,366	$918,792

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This is an average increase of thirty per cent., and in every part of the country showing the universal activity. It will be observed that the profit is not so much locomotion as freight. The Erie Rail-road, for instance, draws as much from freight alone in June this year, as from both freight and passengers last year. Every new rail-road built adds to the resources of the old ones. The Northern line of New-York Rail-roads have been heretofore required to pay to the state tolls upon the freight they carry, the same as if that freight had been carried upon the canals. That has now been abolished by an act of the last Legislature, and it will go into effect in the fall.

The increased export of breadstuffs and provisions, while it has had such an influence upon rail-road tolls, has imparted a cheering aspect to the fall trade. We have heretofore occasionally alluded to such facts as pointed to the enhanced export demand for breadstuffs in the present spring and summer. The general fact of a large English demand, at all seasons and under all circumstances, has become established. It is also the case that the supplies in the United States are excessive, and the surplus annually increasing. That England should buy of the United States as the best source of supply, is, therefore, but natural and inevitable, as a general rule. To that rule the exceptions will be the years of unusual abundance and low prices in Western Europe. Such a year has been the past autumn and winter. The coming year will be one of advanced prices in Europe and England, while the abundance of crops and facility of transportation makes the rate at which the supplies can be afforded here less. The receipt of flour per canal have this year much exceeded those of the last year, and the prices in New-York fell to a lower point, which has stimulated the export, and both prices and freights have advanced in the last week under that demand. The exports of flour, corn and wheat from the port of New-York, monthly, as compared with last year, are as follows:

	Flour, barrels.		Wheat, bushels.		Corn, bushels.	
	1850.	1851.	1850.	1851.	1850.	1851.
January	56,302	45,325	38,802	23,601	97,662	41,936
February	31,007	21,061	14,568	—	522,493	11,535
March	27,181	27,649	2,010	40,693	563,141	205,065
April	27,126	62,142	1,280	45,231	420,157	301,240
May	26,953	75,502	—	56,398	349,378	468,378
June	37,983	72,746	11,640	60,525	287,693	317,643
J'ly, 2 weeks	26,094	104,696	100	82,981	91,916	104,965
Total	232,656	409,121	68,400	309,429	2,332,440	1,451,362

The prices and freights on flour and grain have varied as follows:

	Western Flour.	Freights.	Wheat.	Corn.	Freights.
June 24	$3 62 a $3 81	1s. 3d	$0 95 a $1 00	63 a 66 cents	4¾d.
June 30	$4 00 a $4 25	2s. 0d	$1 04 a $1 05	63 a 64 cents	6½d.

Both in France and England, the rates are advancing, sustaining this improving trade. It is to be remarked, that although breadstuffs touched in general a lower money price in the Atlantic cities than perhaps ever before, it does not necessarily follow that the farmer's profits are less, because the lower price arises from improved facilities of transportation, and there is this year no insane effort to raise the price by holding on paper credits. The price falling under the great supply seeks its natural level, which is that at which it awakens the demand, and that demand, as seen in the table, carries the prices up healthily. The rise in freights

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and price is equal to 40 cents per barrel. The bills so supplied come in aid of the exchanges, and the surplus leaving the country enables the farmer to get better rates for the quantities disposed of in the home markets. Hence it is, that under this movement of produce the prospects of business brighten for the fall trade. Some dealers are already in the city, and high hopes are entertained of a better business than that of the spring was.

THE GALPHIN GOVERNMENT.

SINCE the advent of the present administration to power, the public mind has been repeatedly startled by the announcement of immense sums of money having been abstracted from the public treasury by members of the government, through the medium of claims, good or bad. Claims have been preferred, admitted and paid, which have no foundation whatever; and others, like the Galphin claim, after struggling against repeated rejection through three-fourths of a century, were paid, not in justice to the claimant or his heirs, but to enrich his attorney, who was a member of the government;—literally paying himself out of the funds with which he was intrusted. This appears not to have been an isolated case, but to be part of a system. It was well understood at Washington, that all claims on the government were required to go through a certain channel, which is anything but a cheap one. The claimant had the choice of getting nothing, or small per centage of a just claim. Thus there is no chance for a man honestly to obtain what is justly due him from the government.

This system is well illustrated in the circumstances of the Gardiner claim, which were briefly thus: Dr. George A. Gardiner owned a silver mine in San Luis, Mexico, and operated from 1844 to 1846, when, on the approach of the United States army, he was obliged to leave under an order of the Mexican government expelling Americans; and as he was thus obliged to abandon his property, he claimed damages, and was awarded $428,750 by the Commissioners of Claims. Of this amount, however, Gardiner got but $80,000, the remaining $360,000 being seized by the secretary of the treasury, Mr. Corwin, Mr. Corcoran the government broker, Major Lalley, Mr. Curtis, formerly collector of New-York, and others, for their services in passing the claim. Dr. Gardiner left for Europe, and Mr. Porte, formerly a claimant through M. Poussin, the French ambassador, for tobacco damages, now comes forward and says that Dr. Gardiner asserted to him that the whole claim was a forgery, and got through by hard swearing, and that he was determined to expose it, because he was "squeezed so hard" by the secretary and his accomplices. This rumor was brought to the notice of the government by Mr. Curtis, who solicited an investigation, the result of which has been, that the grand jury have found true bills for perjury against Dr. Gardiner, who is now in Europe, and against his brother Carlos Gardiner. The latter was arrested, and was, on July 18, admitted to bail. The investigation before the grand-jury was, of course, in secret; and the force of the evidence on which it acted has therefore not transpired. We have heard many complaints against the late Mexican board, and of the wrongfulness of many of the awards made by it; but, as we have no authority to send for "persons and papers," we must wait for further developments before we can venture to give currency to the statements which have reached us. Congress will doubtless sift the action of the board; and if a tithe of what we have heard be satisfactorily proved, the Galphin case will be forgotten.

As far as the administration of public justice goes, it is of very little differ-

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ence whether the claim was fraudulent or not. If the man's claim was just, certainly he was entitled to more than 20 per cent. of the amount. The board of claims have published a sort of defence, in which they assert that the proofs adduced were full and complete, and that no persons, on the face of those proofs, would have refused to pass the claims; and yet, in the face of this account, we have the fact that this claimant, with such clear proofs of his rights, could only obtain $80,000 out of $428,750 awarded; $360,000 went to persons who had no other claim upon the money than that their consent was necessary to its abstraction from the treasury. The clearer the board show the claims of Dr. Gardiner to have been proved, the more do they condemn the government officers who so fleeced him. If Gardiner and his accomplices were guilty of fraud, they are punishable for that; but if they came before the authorities with a claim apparently honest, and of the justness of which those persons could have had no suspicions, as otherwise, we are bound to believe, they would not have countenanced it at all. On what basis could these officers of the government rest a claim for four-fifths of an amount justly due Gardiner for losses sustained in Mexico? Whether Gardiner's claim was just or unjust, there is equally little honesty in the manner in which the awarded amount was divided, and public justice requires that the whole process should be investigated.

It follows, that the whole system of claims upon the government is rotten; that an entire reformation is requisite, giving the individual the right to sue the government, and bring his claims regularly before the court, as is now the case with many of the states under the new constitutions.

MISCELLANEOUS.

ITALIAN OPERA—CASTLE GARDEN.

Novelties have followed one another in quick succession at this house, and the past month has been unusually attractive. In addition to such old favorites as Lucia, La Favorita, and Lucrezia, we have been treated to repetitions of Marino Faliero, Anna Bolena, and the production of Roberto Devereux. Truffi-Benedetti was most unexpectedly spirited as Queen Elizabeth, so much so, indeed, as to create general astonishment, and win for herself more golden opinions than she has ever before received. Bettini's Roberto called forth loud plaudits, and the audience evinced an anxiety to *encore* him in several of his finest efforts. Of Beneventano, and indeed of all others, we may say the same; never was the music of an opera so eloquently sung, and never have we seen in Castle Garden an audience so capable of appreciating it; every fine point was at once hailed with applause. Signorina Costini appeared for the first time this season as Lady Sarah Nottingham; she is a pleasing, without being a superior *artiste;* her voice is by no means powerful, but, as far as it goes, it is very sweet. Judging from the audiences nightly gathered in Castle Garden, we must differ from an often expressed opinion, that "we are not a music-loving people." We no longer find audiences gathered together for "fashion's sake," but out of a deep and true love for music. La Sonnambula was produced on the 24th with great success, forming the principal feature of the summer campaign—giving full play to the fine tenor, Salvi, whose ancient laurels were freshened under the genial influence

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of the Lind furor. The part of the Compte Rudolpho was not exactly suited to Marini, but the Amina of Bosio was really a new creation—displaying all her customary care and attention; of the parts of Zerlina in Don Giovanni, Anna Bolena and Amina, in which she has appeared during the month, the last seems the most expressly adapted to her powers. And the enthusiasm of the public seems at each performance more completely to respond to the skill and efforts of these eminent artists, who have, through the well-directed enterprise of the Empresario, definitively located the Italian Opera in New-York.

BROADWAY THEATRE.

This establishment has been closed for a few weeks, after a brilliant, and, we hope, profitable season. During the last month Miss Charlotte Cushman played a short, but very successful engagement; she was followed by a young American tragedian—Mr. Wilmarth Waller. His Romeo gave us considerable satisfaction, but his acting wants that *finish* which can be acquired only by intense study and long experience. The season closed with a trial engagement between two rival "stars." Messrs. Neafie and Buchanan, both young men, who are fast gaining in the public estimation;—we will not attempt to institute a comparison between their respective merits; the field is open to them, and both may yet achieve high positions in the histrionic art. Miss Anderton has supported the principal characters with great credit to herself and the management; she is possessed of much talent, and a pleasing appearance, and for one so young, has attained an eminence in her profession which is usually the result of many years of labor. Her Lady Macbeth and Juliet were unusually spirited performances: she entered deeply into the spirit of those parts, and gave us true delineations of what the great dramatist designed. With the new season, Mr. Barry, so long stage manager of the Park Theatre, commences his duties at this house.

NIBLO'S GARDEN.

Niblo's, after all, is the favorite resort of a New-York audience. Notwithstanding the heat of the weather, the absenteeism of the season, the attractions of Castle Garden, with its cool breezes and matchless melody, the "Garden" never fails to present a brilliant assemblage; whether the Ravels with the graceful Celestine Frank, or Burton with his inimitable corps of comedians, offer the attractions for the evening, there is the same gratified crowd. Mr. Niblo, with great skill and tact, always offers that which amuses the mind, without shocking the taste or fatiguing the senses. On leaving the house, the moral find nothing to reprehend, the gay nothing to regret. The humorist is amply gratified, and the misanthrope feels his austerity ameliorated, while none are so fatigued as to bear away disagreeable impressions.

BOWERY THEATRE.

This theatre has been, under the management of Hamblin, the veteran and popular manager of 20 years' standing, entirely renovated, both externally and internally. With its new and elegant decorations it presents a beautiful appearance, and may favorably compare with any other establishment in the city. Nor does it want for other attractions: Azael, the Prodigal, a new version of the spectacle so successful at the Broadway Theatre, has been produced in a style of most surpassing elegance, with new scenery, dresses, &c. Miss Anderton, whom we have before noticed, and Mr. Eddy, support the principal characters. Mr. Hamblin has been long before the public as a manager, and when we say that the Bowery Theatre is still under his direction, we give it the highest commendation which it is in our power to bestow.

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NOTICES OF NEW BOOKS.

TRAVELS IN THE UNITED STATES, etc. During 1849 and 1850. By the Lady Emmeline Stuart Wortley. New-York: Harper & Brothers.

In the preface to this work, we have the old story repeated; we are told that upon leaving England Lady Emmeline was "fully determined against writing a book of travels," but that since her return, friends to whose better judgment she feels bound to defer, have pressed her so strongly to print her letters, that she has consented so to do, "after adding somewhat to give them the usual narrative form, and dividing them into chapters." Casting aside the apology and looking at the book, we find that she has given us a very *piquante* and racy description of men, manners and scenery in America: she neither condemns nor praises without good reason, and she is almost uniformly correct in the few remarks she chooses to interlard with her narrative. Of course she was *lionized* during her stay among us, and, as a matter of courtesy, she feels herself bound to return the compliment by noticing all who ministered to her pleasure; thus we have flattering notices of those in whose houses she was received, and with whom she met upon terms of familiarity. She speaks very highly of the courtesy and intelligence of the American people, and still more highly of the spirit of enterprise which they manifest. Her descriptions of Niagara, the Mammoth Cave, and the Mississippi, show that she expected to derive great pleasure from these objects in American scenery, and was not disappointed in her expectations. Her tour extended not alone through the United States, but into Mexico, South America, and Cuba; and the narrative of her travels, written in a very pleasing style, makes the book an agreeable companion for leisure hours.

GINEVRA: The History of a Portrait. By an American Lady, resident in the City of Washington. T. B. Peterson, Philad.

This new novel, by Miss Genevieve C. Fairfield, daughter of the late Sumner Lincoln Fairfield, has been generally commended; indeed, some have called it the "very first novel of the age." We read it, and derived a great deal of pleasure, not alone from the incidents, which are of unusual interest, but equally from the style in which it is written, showing a naturally vigorous and highly cultivated intellect. We trust that it will be generally read, and have no doubt but that, with a few judicious alterations, it would become exceedingly popular.

LONDON LABOR AND LONDON POOR. By Henry Mayhew. New-York: Harper and Brothers.

The third part of this interesting work has just been issued by the Harpers. The book is one which must come home to the hearts of the people, for in our own city we may trace much of the misery so strikingly depicted in these volumes as belonging to London.

GODFREY MALVERN; or, the Life of an Author. By Thomas Miller. With 24 Illustrations by Phiz. Harper & Brothers.

This is an admirable story, very much in the Thackeray style, and is very attractive.

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CAMPAIGNS OF THE RIO GRANDE AND OF MEXICO. With Notices of the recent Work of Major Ripley. By Brevet-Major Isaac J. Stevens, U. S. A. D. Appleton & Co.

The intention of this work is to reply to what are called unjust criticisms of Major Ripley on several of "the men of Mexico." Major Ripley's work is, however, too well appreciated by military men to have his estimate of the relative merits displayed in Mexico, shaken by a work which deals so much in generalities and theories, and so little in argument and fact, as this of Major Stevens. This gentleman says, his object is to "vindicate the truth of history;" but the time for that is not yet. The mere fact that the military conduct of General Taylor requires defence and we presume no one will undertake to make a political refutation for him, is an indication that posterity will be governed by the *facts*, and will not be swayed in their judgments of his character as a soldier by the fanciful theories, special pleadings, and palpable afterthoughts, which occur in the defence. When an officer violates military rules against the advice of his government and superior officer, and makes a precipitate retreat at the expense of his baggage and provisions, and his force barely escapes defeat on a field when he is not himself present during the whole of the battle, and where his want of sagacity, when present, was the cause of disastrous loss of life among his own troops, it is uphill work to give, in the final retreat of the enemy, as evidence of premeditated skill on the part of that officer. The truth of history can scarcely be vindicated by partisan officers writing at the moment when the chiefs whose merits they sing are in the field as candidates for the highest political offices in the gift of the people.

MEMOIRS OF WILLIAM WORDSWORTH, Poet-Laureate. By Christopher Wordsworth, D. D., Canon of Westminster. Edited by Henry Reed. Ticknor, Reed & Fields.

The second volume of this attractive memoir, edited by Professor Reed, has made its appearance, and will be eagerly welcomed by the public, who were so well entertained by the contents of the first number. It is beautifully bound in the style of Messrs. Ticknor, Reed & Field's publications.

PLYMOUTH AND THE PILGRIMS; or Incidents of Adventure in the History of the First Settlers. By Joseph Banvard. Gould & Lincoln, Boston. Sold by Evans & Brittan, 697 Broadway.

This exceedingly interesting little work, of the Rev. Mr. Banvard, on that fruitful subject, Early Adventure in New England, is illustrated by nine engravings, and neatly printed. It is sold in New-York by Messrs. Evans & Brittan, a new house, at No. 697 Broadway. Mr. Evans has been favorably known to the public through his connection with George P. Putnam.

SHAKSPEARE'S DRAMATIC WORKS. With Introductory Remarks and Notes, Original and Selected. Boston: Phillips, Sampson & Co.

This magnificent edition has been increased beyond the compass of the original plan, by the addition of the Miscellaneous Works of the great poet. To facilitate the completion of Shakspeare's works, the publishers thought it advisable to issue the Poems in three large parts—each one containing about three times as much as the average of

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the preceding numbers. The first number contained Nos. 39, 40, 41, with a beautiful portrait of Desdemona, forming the first of this series.

The present number contains a beautiful vignette title page, from an original design by Billings.

The third, and concluding part, will contain a splendid engraving of Mrs. Siddons as the tragic muse, from the celebrated painting by Sir Joshua Reynolds.

INVENTOR'S MANUAL; or Legal Principles, and Guide to the Patent Office. By George Ticknor Curtis, Counsellor at Law. Boston: Phillips, Sampson & Co.

This very valuable work is an abridgment from the author's larger work on Patent Law. When invention is rife and rights so precarious as they now are under the administration of the patent office, every person ought to have some sure and reliable information in relation to his legal rights before he ventures upon application. The work seems to be of immense importance in this respect, and will command general attention.

STUART OF DUNLEATH: A Story of the Present Time. By the Hon. Caroline Norton. Harper & Brothers.

This is a new and valuable addition to the Messrs. Harper's library of select novels. The Hon. Mrs. Norton has been long and favorably known as a writer, both of prose and poetry; and from this work, more than any other, we have been impressed with a favorable idea of her abilities. Its characters are those met in every-day life, its incidents simple, yet artistically contrived; and with these familiarities, the authoress has given us a book for leisure hours from which we may glean information at the same time that we derive pleasure.

THE FARMER'S GUIDE TO SCIENTIFIC AND PRACTICAL AGRICULTURE. Leonard Scott & Co.

This great work, containing more than 1600 pages and an immense number of illustrations, has been completed, and is afforded at $5. No farmer should be without it. We shall have occasion in our next number to notice it more at large.

SOME PASSAGES IN THE LIFE OF MRS. MARGARET MAITLAND; written by herself. D. Appleton & Co.

Autobiography seems to be the order of the day; and some of the most fascinating books of late years have been presented to the public in this form. This is the latest addition to that peculiar class of works. We have already commended the author's previous volume, Caleb Field, yet do not hesitate to express the decided preference we have for the work now before us. It is very neatly printed and bound, and does credit to the publishers.

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Drawn by Woodhouse

N. S. Foote

Governor for Mississippi

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THE

UNITED STATES MAGAZINE,

AND

DEMOCRATIC REVIEW.

VOL. XXIX. SEPTEMBER, 1851. NO. CLIX.

CENSUS.

The population returns of Great Britain, Ireland, and the United States, have been so far completed as to present general results, and these are of a most extraordinary nature. There was, perhaps, never a time when, in consequence of the extraordinary events of the fifth decade of the first half of the present century, so much interest has been manifested on both sides of the Atlantic to learn the progress of the population in both countries. The British census was taken March 31, 1851, and already 60,000,000 printed returns, of 40,000 enumerators, are condensed, and the results presented to the public, as soon as are those of the United States marshals, whose work was completed in June, 1850. It is the case, that the United States census is very comprehensive, embracing upwards of one hundred questions to each individual, but from the manner in which it has been performed, no confidence whatever can be placed in it, beyond the mere number of persons. After much inquiry in New-York city, the present writer could not ascertain that any questions were asked at all beyond the numbers, sexes, and ages in each house. The births, deaths, nativities, occupations, &c., were not inquired after at all, within the range of our acquaintance. We trust, in other parts of the country, more care has been taken; but in the census from which so much was expected, little or no confidence can be placed, as we before stated, beyond the mere enumeration of numbers. The general results of these in Great Britain, Ireland, and in the United States, are sufficiently startling. They are as follows:

	United States.		Great Britain.	Ireland.
	Blacks.	Whites.		
1800	1,001,436	4,304,489	10,472,048	5,191,240
1810	1,382,810	5,862,004	11,964,303	5,937,856
1820	1,781,885	7,872,711	14,161,839	6,801,827
1830	2,328,642	10,537,378	16,366,811	7,734,065
1840	2,273,703	14,189,555	19,064,761	8,175,124
1850	3,227,312	20,070,186	20,919,531	6,515,794

From these general figures, it appears that the blacks in the United States were 23.4 per cent. of the whites in 1800, and are now 16 per cent. only, having declined 7.4 per cent. in 50 years. This has arisen not from any tardiness of increase on the part of that race, which has swollen 225 per cent. in numbers, while the Irish, who are the bond race of great Bri-

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tain, increased but 60 per cent. in 40 years, and had since retrograded, showing a decline from 1820; but from the rapid increase of the whites, which has multiplied on our soil fourfold, while the free race of Great Britain has only doubled. The black race on the American continent is the only one, the progress of which, as exhibited in the figures, approximates the natural course. The figures for the whites of the Union are swollen by the large immigration, which, in a lesser degree, diminishes those for Great Britain and Ireland. It is no doubt true, that the black race multiplies in a state of servitude to American citizens much faster than they would under any other similar circumstances. The black slaves of Great Britain, Spain, and France, never throve, to any great extent, because of the barbarity with which they were treated. The well known brutality of the English character, and which has become proverbial throughout the world for the treatment of dumb animals, was markedly conspicuous in the usage of slaves. In the first thirty years of the present century, eight bloody insurrections took place in the West Indies, solely in consequence of the physical sufferings of the blacks, under the brutal treatment they suffered from their English masters; and those repeated insurrections were the main cause of ultimate abolition, a cause which does not, and can never, exist in the United States, where the physical happiness of the blacks is so marked in their swelling numbers. Whenever the blacks are left to their own resources, they decline in numbers; a fact which the statistics of all countries where emancipation has taken place makes but too evident.

In the northern United States, where the numbers of free blacks are constantly receiving accessions by the emancipation and escape of slaves, there is a positive decline in numbers: thus, in the official returns for Maine, Massachusetts, Rhode Island, Vermont, and New-York, the number of blacks in 1840, was 64,018, and in 1850, the number had fallen to 62,366, there being a decline of males in each state; and as a considerable portion of those now at the north had escaped from the south, it follows that the real increase of slaves is greater than shown in the figures, and the multiplication of free blacks is less. Nevertheless, the aggregate increase of the bond race in America is as three to one of the bond race of Great Britain. This relative difference of increase may be taken as an index of the comparative well being of the two races. But the superiority of condition shown by the blacks arises from the administrative care of individual white masters, while much of the distress of the Irish arises from the ruthless oppression of the British rulers. The blacks in America have, in the last ten years, increased 353,608, or 12 per cent., while the population of Ireland has decreased 1,659,330, or 20 per cent. In the previous decade, Ireland increased 9 per cent.; a natural increase of 8 per cent. in the last decade would have given a population of 8,861,807; and as the actual population is but 6,515,794, there remains 2,346,013 persons to be accounted for. In the decade ending with 1840, 752,315 persons emigrated from the United Kingdom; of these nine tenths were Irish. In the decade ending with 1850, 1,684,892 persons emigrated from the United Kingdom. Of that number 1,100,000 were from Ireland; and of the remaining 584,000, it has been estimated 100,000 were Irish emigrants from England. This gives together, 1,200,000 Irish who have left the United Kingdom, against 670,000 in the previous decade. Now, as in that decade, the population, notwithstanding that emigration, increased 9 per cent., there remains but 530,000 of the 2,346,013 to be accounted for by emi-

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gration; the balance is 1,816,013 souls who have perished by famine and distress. It is no doubt the case, that of these a considerable number have gone into the other British islands; but this branch of migration must have been less than usual, for the reason that the increase of the United Kingdom is also less in all its divisions than in former periods. In the official aggregate returns, the population of the United Kingdom for 1850, was 20,919,531, including army, navy, seamen, &c., against 18,655,981, exclusive of these men in public employ; making allowance for them, the population was as follows, for several periods:

POPULATION OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND.

	England.	Wales.	Scotland.	Islands.	Ireland.	Total.
1801	8,331,434	541,546	1,599,068	——	5,191,240	16,663,288
1811	9,538,827	611,278	1,813,688	——	5,937,856	17,902,156
1821	11,261,437	717,438	2,093,457	89,508	6,301,827	20,963,666
1831	13,091,005	806,182	2,365,114	103,710	7,734,365	24,100,375
1841	14,995,508	911,312	2,628,957	124,079	8,175,124	26,839,889
1851	16,594,275	1,011,556	2,870,784	142,916	6,515,794	27,135,315

Thus, exclusive of Ireland, the increase in the ten years ending with 1840, was 2,298,750, or 16 per cent., and in the last ten years, 2,263,550, or 12 per cent. only. In this diminished ratio of increase for the other British Islands, there remains no room to account for the depopulation of Ireland by emigration thither, and there are nearly 2,000,000 souls, or one out of every four of the population of one of the British Islands who have died by famine and distress, through consequence of the "most Christian and philanthropic" government of modern times. The distress which has overwhelmed Ireland, has evidently, to a considerable extent, affected the United Kingdom; because, with all its accession of Irishmen, flying from the famine of their own country, it has not maintained its ratio of increase. The awful scenes that have presented themselves in Ireland, harrowing as they have been by reports, which the English government organs have alleged to be overstated, must have far exceeded in horror the most highly colored descriptions. The frightful fact presents itself in official figures, that, notwithstanding all the donations of the civilized world, and the awakened sympathies of all Christian countries, one out of every four Irishmen has perished by famine around the hearths of that canting race who have filled the world with sympathy for distant blacks. Of the Irish emigration, the far greater part has consisted of adults in the prime of life; it has therefore contributed to reduce the population by retarding increase almost as much as by actual diminution. These facts, combined with the augmented population of the Irish towns, would seem to indicate, that notwithstanding the awful ravages of the years of famine and pestilence, "evictions" have had quite as much to do with the unpeopling of Ireland as either hunger or disease.

It is appalling to reflect on the amount of suffering and misery which has brought about these results. The mortality among Irish emigrants on shipboard, in Canada, and New-Brunswick, and New-York, was, for three or four years, scarcely less in amount, and more terrible in form, than in Ireland itself. The surcharge of destitute Irish families in the most squalid and unhealthy quarters of English and Scotch towns, and their accumulation in Irish towns, where (except in Belfast) there is no employment for them, is suggestive of images of heart-rending distress. The folly and

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apathy of long years of bad government and social mismanagement have been awfully visited on that ill-fated country.

The "clearances" and "evictions" which were productive of so much misery, are now by the census summed up in their results; and it appears that, in addition to 1,200,000 persons driven out of the country into exile, nearly 2,000,000 had died by the way-side. That is to say, starvation and disease have destroyed more than have emigrated; although the "Times," for obvious reasons, seeks to make the latter the prominent cause of the depopulation.

The soil of Ireland, for a long series of years, had been cultivated in patches, of which the maximum yield in potatoes, in a good year, would suffice to feed the occupier, and, by harvest work on the lands of others, he could generally manage to pay the exorbitant rents required to meet the extravagant wants of absent owners. At least half-a-million able-bodied Irishmen were in the habit of migrating annually to England, in order, by work during the harvest, to earn the rent due upon their little potato patches, which were the sole support of their families. The land owners and agents were too shrewd to grant long leases of these lands, but they were annually in the market, to exact the maximum rent that could be obtained from starving millions who had no hope but in the occupancy of a potato patch. Lands so occupied, and cultivated under such circumstances, "run out" speedily, as a matter of course, and when the potato blight swept away the crops for which the enormous rents were undertaken, and the occupier found himself at once without food for his family or rent for his landlord—without the ability to stay or the means to fly—he encountered the mandate to quit the premises. All those who could command the necessary sum of money emigrated; and the returns of the emigration commissioners show that nearly $5,000,000 per annum were remitted from America, by friends of the destitute, to assist them in escaping death by starvation at home. Those utterly destitute were, by the bailiff, driven from the huts, the women and children dragged out, and the cabin levelled with the ground by fire or otherwise.

"It was a piteous spectacle, on Thursday, in the midst of the pouring rain, to see children led by their parents out from their houses into the street; to see mothers kneel down on the wet ground, and, holding their children up to heaven, beg relief from the Almighty, and strength to endure their afflictions. The cries of bereaved men and women, running half frantic through the streets, or cowering from the rain and wind under the shelter of their poor furniture, piled confusedly about, were affecting in the extreme. To see, amid all this misery, ten or twelve burly ruffians from Nenagh, assailing the houses with crow-bars, and to hear their cries of exultation as a wall yielded to their assaults, or a roof tumbled down with a crash, the spectator should be callous, that could avoid being greatly affected by the scene. . . . . I should suppose that the entire number turned out of their houses on Thursday would reach one hundred and fifty families, or six hundred individuals. Of this number I could learn that about thirty families, or, on an average of four to each family, about one hundred and twenty persons, were to be allowed other dwellings in the village. So that four hundred and eighty persons, or one hundred and twenty families, would thus appear to be thrown on the 'waves of the world,' as some of the unfortunate people themselves stated it. I wont attempt to describe what is indescribable—the soul-harrowing condition of the poor wretches in the wigwams, at the time I was leaving Toomevara, eight o'clock in the evening."—TIPPERARY VINDICATOR.

"The practice of the depopulating whole neighborhoods, in emulation of the example so lately set by the HON. and REV. Massy Dawson, has been again re-

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sorted to, this week, by the Hon. Col. Sewell, according to whose ukase, his agent, Mr. John Kelly, of Woodmount, levelled FIFTY-SIX houses at Creggs, near Ballygar, in this county. Fifty-six families turned out, roofless and foodless, to perish by the way-side, without a single penny from the Hon. Colonel to provide even a single meal on their melancholy exodus!"

"The work of extermination is proceeding, with all its concomitant horrors, throughout this unfortunate country. I have just heard that two hundred persons have been cast out from the Dawson property, in the Glen of Aherlow, and a very large number cleared out from no less than seven properties in the neighborhood of Slievenamon."

"The Archbishop of Tuam says: 'On the morning of last Saturday, on setting out from Headsford, the corpse of a young man, who died of hunger on the preceding night, was seen stretched on the road-side. I saw the scenes of eviction and desolation, as I traversed the parish to the shores of Lough Corrib. I could not believe that any one parish could exhibit so many monuments of heartless cruelty. It is no wonder if death, in every form of disease and starvation, followed in the train of this depopulating system. The misery, however, was deepening as we advanced; and the wretchedness of the poor of this remote and much-neglected region is such that I will not occupy the time, nor harrow the feelings of the reader, by its description.'"

"In the Kilrush Union, county of Clare, several of the evicted tenantry are living in turf-pits, scooped out of the bogs, and covered in at the top with some branches of trees. From these cavities the smoke, at times, is seen ascending, and the passer-by would hardly have known that the bog was inhabited by a subterranean population. In one locality there are as many as twenty of these bog-dungeons, with families in them. Your correspondent lately heard one of the highest employees of the poor-law staff give a dreadfully graphic picture of the scene he had witnessed in Kilrush. He had got down into one of these bog-dungeons, in which a family were lying in fever, and he succeeded in moving some of them, but the odor of the place was so overpowering that he was compelled to retreat."

"In the district of Dunharrow, on nearly all the properties of that barony, there is scarcely a sign of a human habitation, except in the dilapidated ruins of what, at no distant day, were happy homes. The Derry Castle and the Coumbeg, and several other properties, are almost altogether depopulated. It is melancholy to pass through the country, and see none of those evidences of life which a few years ago cheered the traveler, and made him rejoice at the appearance of the people. Between Nenagh and Cloughjordan—a distance of about six miles—nearly all the houses have been tumbled down, and that line of road presents an equally gloomy and terrible aspect. Between Cloughjordan and Borrisokane the Rev. Mr. Trench ejected forty families, comprising about two hundred and fifty souls, from the property called Forty Acres. The houses are removed—a fence wall has been built around the property by the stones that were taken from those houses! A Mr. Ely has ejected and tumbled down the houses of a great number of persons, also in the same district; but the houses are left standing, and seem, as if they were the DEBRIS left after the cannonading of some hostile army. Between Borrissokane and Nenagh, the work of destruction has also been progressing, to some extent. It sickens the heart when one looks upon the country—desolate as if the scythe of death had mowed down the population. Miles may be traveled, and scarcely a human being can be seen, except some tottering starveling endeavoring to make his way to the relieving officer! In many places the poor are living on nettles, which they endeavor to bite and eat; and in other places they drain the streams of water-cresses to appease the ravages of hunger."

These were some of the processes by which the depopulation of Ireland has been effected.

The accounts which from time to time appeared during the height of the distress were treated as exaggerations by the London Times, but

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now, when the awful truth is disclosed to the world, that print coolly inquires, "But why should not the population of Ireland be reduced to four or five millions?" True, indeed! of what account is it that 2,000,000 white souls perish by famine, and disease, and ill usage! Of what account is it that four or five millions more still flit between life and death, too sepulchral in their aspect to be deemed living, and yet too restless to be buried! These are only Irish! They are not English enough to claim British rights, nor black enough to excite British sympathy; and if they can no longer contribute to the wealth and splendor of the aristocracy—if they can no longer afford fitting support to the "corinthian columns" of the social fabric of Britain, why should they not perish? One hundred and fifty years of the "credit" and "protective systems" have impoverished the millions to heap up wealth in the coffers of the few. In all that time capital has fed, through protective laws, upon the vitals of the laboring many. The power to produce among an immense number is gone. The pinched bellies and paralyzed arms can no longer produce as much as suffices life, and those miserable many will, unless they perish, become a burden upon capital instead of a means of enhancing it. The protective system reached its maximum in the exhaustion of the laborers. Their ability to produce reached its *maximum* at the moment when their means of subsistence reached its *minimum*. Capital had no more to expect. The ingenuity of a pampered aristocracy could devise no laws by which more could be extracted from the used up instruments of wealth. Why, therefore, then should they not perish, and give room for the ample enjoyment of the wealth they have created, but which the protective system transfered to others?

Regarding mankind from its accustomed view, the Times justly puts that question; but the responses may come from a quarter and in tones that will startle the purse-proud and self-sufficient oligarchy amid their dwindling power and diminishing population.

That emigration has had less to do with the depopulation of Ireland than misery, a few figures will make apparent. The reports of the commissioners of emigration give the numbers which left the United Kingdom during the ten years ending with 1840, at 752,315, of these 428,471 were Irish. During the last ten years the emigration reached 1,684,892. And the London Times remarks:—

"The whole emigration from these islands during the last ten years, has been 1,600,000. Of that number it is ascertained that at least 1,100,000 have emigrated from Ireland alone. There is, however, no doubt that of the remaining 500,000, many thousands were Irish, who have only used England as a stepping-stone to the new world."

If on this estimate the odd thousands are allowed to have been Irish, then the whole number from that island will have been 1,184,872, against 500,000 English. On those data we construct the following table:—

	Irish Census.	Emigrated.	Total Irish.	Increase.	Decrease.
1831	7,767,401	150,000	7,917,401	——	——
1841	8,175,124	428,471	8,603,595	686,194	——
1851	6,515,794	1,184,892	7,700,686	——	892,909

The increase to 1841 was about 9 per cent.; a similar rate of increase to 1851 would have given 774,000 *more* people than in 1841; but there are 892,909 *less*. These two sums make 1,666,909 souls who perished by

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disease and famine. Estimating the population of Great Britain by the same rule, the results are as follows :—

	Census.	Emigrated.	Total British.	Increase.
1831	16,336,011	100,000	16,336,011	——
1841	19,055,981	280,892	19,336,873	3,000,862
1851	20,919,531	500,000	21,419,531	2,082,658

Thus the increase of British has been only half as much in the last as in the previous decade. One prominent cause of a diminished rate of increase in the last ten years, was the large emigration of the young and marriageable classes of both sexes. The great staple of a large emigration is just the very class from whom the increase of population is to be expected. The great inducement to a step in itself so perilous and so painful, is the wish to provide for a family coming on, or to settle and marry with some prospect of comfort. The very young, the aged, and invalid remain. Thus the decayed and barren stocks are left behind, and the prolific young shoots are taken away in the fullness of their bearing and growth.

Hence, also, the enormous and increasing gap left in Ireland, deserted, as it is, by the young, the healthy, the able, and the industrious, and resigned to the orphan, the widow, the sick, and the aged. Nor must we forget that this fact is prospective. The six and a half millions remaining in Ireland are not, as a whole, the prolific race that the eight millions and two hundred thousand were in 1841.

Youth, health, vigor, and capital, have emigrated from Ireland along with those 1,200,000 souls, and the miserable remnant is but the *debris* of a perishing people—the sick, the aged, the cripple, the orphan, the widow, and the pennyless and landless vagrant, as destitute of hope as of present means and retrospective joys. That is not the population from whence to expect the large physical aid that England has derived from Ireland in the last century. A recent return of the British army enumerated 41,218 Irishmen as British soldiers; and every branch of British industry has felt the influence of Irish labor, and none more effectually than the agriculturist. The English farmer has hitherto been served with a sort of preternatural laborers, who appeared, at his summons, the very moment the crop was ready, reaped, gathered, and stacked it, with the least possible delay, and then relieved him of their presence for the rest of the year. The poor peasantry of Connaught have hitherto done this service; and there was not in England a more interesting, more picturesque, or, perhaps, we should add, a more painful scene, than one of these industrial pilgrimages from the extreme coasts of Ireland to the seats of English civilization and wealth. A day has arrived when these annual migrations are becoming the subject of history and even of romance. Hitherto they have been too much matters of fact to excite the curiosity they deserve. Few men have considered what must be the condition of Ireland, when she could annually part with some hundred thousand grown-up men for the whole period of the hay and corn harvests; or how precarious the condition of England, when this distant supply had become necessary to her agricultural success. That spirit of enterprise, which urged the rough Celt to compete with the British laborer for the wages of the harvest, now sends him, with little more effort, across the Atlantic. There appears to be scarcely any flagging or pause in the emigration which is fast transfering to the United States the sinew and bone, the skill, and even the capital, of Ireland. It

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is evident, therefore, that English agriculturists, such at least as have depended on this assistance, will have to make new arrangements, and change either their mode of cultivation, or their relations with the laboring class.

The pittance earned by these poor peasants, on English harvest fields, made up the rent exacted from them by the landlord at home, for their potato patches, while the low price at which they labored, enabled the English farmer to pay higher rents to his own land oppressor. Connaught, which supplied these reapers, has lost one-third of its population. It contained 1,418,859 souls in 1841, and 1,011,917 in March, 1851. Those able-bodied men, who traversed Ireland annually to sell their labor to English farmers at the lowest price, in order to meet the rapacity of the Irish landlord, and keep the cabin over the head of the little ones; now, many of them, tread their own free farms, upon the unrented and untaxed soil of America. Instead of selling their labor to the British farmer, they compete with him in supplying the English consumer with food. If the aristocratic class here still seeks to fasten its fangs upon his sinews, through protective laws, its power to oppress is gone. In removing cheap Irish labor from the command of the English farmer, the foundation of high rents is sapped, and the British gentry must henceforth consume less of the products of other men's labors. In a new and free country, land is nothing, and labor is everything. In an old country, labor is nothing, and land everything. In this age of intelligence, enterprise is awakened, and the surplus labor of the British Islands freely seeks the surplus land of America; and there exists this difference: it is youth, health, wealth, and energy that comes, while age, disease, poverty and infirmity remain.

The great element of Irish emigration consists, doubtless, in the success of the emigrants. There are at least one-third as many Irish now in the United States as there are in Ireland. The two millions in America are industrious and thrifty; and their earnings, with the peculiarly self-sacrificing generosity of the Irish character, are at the service of their distant relations, and they are availed of to the extent of many millions of dollars per annum for the expenses of emigration. There is no cabin in Ireland where letters from friends in America are not read at least monthly. These letters not only impart joy and hope to a famishing and despairing race, but contain, also, the means of escape from threatened death. The young and the vigorous, from whom hope was being gradually shut out by the want and misery closing around them, suddenly find the door open to them: the pathway to independence, competence and wealth is cleared before them. That they eagerly embrace it, and that every emigration swells the number to whom release is thus thrown, is not to be wondered at; and that it will continue until the nation is expatriated, is not to be doubted. That the English regard this removal of an oppressed race with a certain degree of satisfaction, as effecting the absence of a dangerous (because deeply wronged) race of men, is probable; but that satisfaction should be ameliorated by this fact, viz., that Ireland is within ten days of New-York—that the thousands of Irishmen who emigrate, were, by English laws, deprived of the use of arms. In New-York, two of the best armed and drilled brigades are exclusively Irish, whose devotion to military exercises is enthusiastic. The day may come when those who left Ireland naked in search of bread, may suddenly re-appear to assert their inherent rights upon their native soil.

It will be observed that the bond Irish of Great Britain, and the bond

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blacks of America have both alleged incentives to emigration, and both are largely aided by external influences. Thus the means earned in America by the industry and thrift of the emancipated Irish, are the instruments of promoting emigration from that country. In America, voluntary emancipation escapes, and abolition man-stealing, added to the efforts of the free blacks, conspire to diminish the natural increase of the slaves, and enhance that of the free blacks. Yet all these influences are not sufficient to bring down the numerical increase of slaves as low as the highest natural ratio of progression in the most thrifty country of whites, nor do they suffice to maintain the number of free blacks in the northern states, while the efforts of the emancipated Irish serve to transfer a whole nation to other shores. The black, freed from servitude, spends a few years in vicious indolence, until accumulating misery drags him into the grave. The emancipated Irishman who reaches our shores, branded as "turbulent," "lazy," "improvident," "reckless," and "impracticable," begins instantly to rise in the scale of humanity. His "turbulence" manifests itself in submission to the laws he helps to create; his "laziness" is apparent in the multiplying of rail-roads, canals, and edifices, in the construction of which the labor falls on him. His "improvidence" shows itself in means accumulated from small wages, diminished by the sums sent to Ireland for the relief of oppressed friends. His "recklessness" appears in the assiduity with which all the means of advancement within his reach are availed of. His "impracticability" is seen in the yielding of his convictions to the dictates of his expanding reason, and the readiness with which his own rights and those of the community are comprehended and appreciated. There is this difference under British bondage: the Irish nation perishes by famine and distress; in a state of freedom it flourishes and thrives. Under American bondage the black is prosperous morally and physically; in a state of freedom he is vicious, insolent and miserable.

The present foundation of English power is cheapness of labor. Upon this subject the *London Times* remarks:—

"For a whole generation man has been a drug in this country, and population a nuisance. It has scarcely entered into the heads of economists that they would ever have to deal with a deficiency of labor. The inexhaustible Irish supply has kept down the price of English labor, whether in the field, the railway, the factory, the army, or the navy; whether at the sickle, the spade, the hod, or the desk. We believe, that for fifty years at the least, labor, taking its quality into account, has been cheaper in this country than in any part of Europe, and that this cheapness of labor has contributed vastly to the improvement and power of the country, to the success of all mercantile pursuits, and to the enjoyment of those who have money to spend. This same cheapness has placed the laboring classes most effectually under the hand of money and the heel of power.

This is, undoubtedly, the case; it is the inevitable result of the one hundred and fifty years of the protective policy, and it is the object sought to be obtained in this country by the protective interest. They alleged that protection is necessary against the "cheap labor of England," and that a period of protection will enable us to compete with that labor; that is to say, labor by the protective system will be made cheaper here. The worker will become the slave of capital, and then the manufacturing capital of England will have no advantage over that of this country. In England, capital triumphed over labor, and the profits of the country con-

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sisted in selling that cheap labor to all the world for the benefit of capital at home. Hence, all the world, the United States in particular, profited by that cheap labor, in common with the few capitalists in England. But that labor is now emigrating—it is about to set up for itself; and the capital of England must pay back its accumulation. Labor having escaped from the domination of capital in England, will not subject itself to similar extortion here.

It is not alone from the British Islands that the vast tide of emigration pours into the United States. Every country of Europe—almost of the world—has within the bosom of its people an irresistible attraction towards the great Republic. Of the thousand souls per day who arrive in New-York from other climes to settle in America, every country has its representatives, and every arrival swells the personal connection between citizens of the United States and citizens of every country of Europe. A universal commingling of races takes place, in which the English element is in very small proportion. At the commencement of the present century, the whites in the United States numbered but 40 per cent. of the population of Great Britain; they are now equal to it. In the last ten years the population of the British Islands increased but 500,000—the white population of the United States increased 5,880,631, or more than *eleven* times as much as England. The rate of decennial increase in Great Britain is less than 12 per cent.—while in the United States it is about 35 per cent. In the great Continental States the rate is considerably lower than in England. According to the progress of the last fifty years in France and in America, the United States will have the larger population in 1870—in 1900, they will exceed those of England, France, Spain, Portugal, Denmark, Sweden, and Switzerland combined. Prudent statesmen should bear these facts in mind.

Many persons now alive will see an American power of 100,000,000 souls, composed of the best blood and sinews of all the nations of Europe, tempered by and consolidated upon the American and Celtic race. The English character never predominated in the mass, and it is now rapidly disappearing altogether. The American race is no more English than the English is Danish or Norman. If we retain their language and literature, we need not be disgraced by their canting brutality of character, or the blood-stained annals of their treacherous diplomacy. In exchange for their literature, we give the oppressed of the race a home and a country, but they must come purged of the national crimes which are about being expiated in political overthrow and degradation in the scale of nations. It will be a curious retribution if the man who through chicane, bribery and treachery carried England's military power and influence to its zenith, should live to see her stripped of all consideration in European politics: and such an event seems not unlikely.

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RIVALRY OF MURAT AND DAVOUST.

NAPOLEON had just placed Davoust under the orders of Murat, who commanded the vanguard of the army, and the two generals had advanced as far as Slawkow; it was the twenty-seventh of August. On the twenty-eighth, Murat pushed the enemy beyond the Osna. He crossed the river with his cavalry, and briskly attacked the Russians, who were posted upon a height beyond the stream, and who could, in this position, easily maintain an obstinate conflict; they did so, at first, with considerable success, and Murat, whatever is said of him on this subject, wishing to spare his cavalry in a spot where the ground was so difficult, sent orders to a battery of Davoust to support his operations, and to harass the enemy upon the height. He waited, for awhile, to observe the success of this new attack—but all was silent; and the Russians, taking advantage of this singular inactivity, descended from their position, and for the moment repulsed the cavalry of the King of Naples to the very banks of the Osna, that flows in the depths of a ravine, into which both men and horses were in danger of being precipitated. Murat supported his men by his words and his example, and dispatched a second order to the commandant of the battery; but again there was no reply to this order, and word was brought back to the King of Naples, that the commandant, alleging his instructions, which forbade him, under penalty of being cashiered, to engage without an order from Davoust, had formally refused to fire. A momentary anger inflamed the face of the King of Naples, but a more urgent peril demanded his attention; the Russians continued to press his cavalry. He at once placed himself at the head of the 4th of the lancers, spurred against the enemy, and in a moment carried the heights which Davoust should have swept with his artillery.

On the following day the two lieutenants of Napoleon met in his presence: the King of Naples, strong in the feeling that he had justified his temerity by success—the Prince of Eckmuhl, calm in his opinion, based upon a skill that had often been tested. Murat complained bitterly of the orders given by Davoust to his subordinate officers. The Emperor had listened with his hands crossed behind his back, his head slightly bent upon his breast, concealing an air of satisfaction, and with his foot playing with a Russian ball, which he rolled forward, and which his eye followed attentively. Davoust, greatly irritated, did not linger with his reply.

"Sire," he said, addressing the Emperor, "the King of Naples must be taught to give over these useless and imprudent attacks, which harass the vanguard of the army. Never has the blood of men been lavished so heedlessly, and, believe me, sire, they are well worth preserving in a campaign like this."

"And the Prince of Eckmuhl has invented an excellent means for that," said Murat, disdainfully, "that is, to prevent his soldiers from fighting. I would advise him to reserve this receipt for himself."

The obstinate Davoust, who had proved sufficiently that he was a man

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of courage, and who wished, above all, to prove that he was in the right, turned to the King of Naples, and said in a tone of irritation:

"And of what benefit has been all your rash attacks against an army which is effecting a retreat, skilfully combined, and decided in advance, and against a rear guard, which abandons its positions only when it is upon the point of being beaten."

"And can you tell me," replied Murat, almost with a sneer, "when it would abandon them if it is not attacked, and if we did not place it upon the point of being beaten?"

"It would abandon them a few hours later," cried Davoust, who had formed a correct opinion of the plans of the Russian general, "for this retreat is a course resolved upon, irrevocably resolved upon, and one which they will effect, with or without fighting, according to our movements. What do we gain, then, by attacking troops, which will retire tomorrow, if we do not drive them back to-day?"

"Glory!" replied Murat.

"And we lose the half of our vanguard," rejoined Davoust, bitterly; "and we shall reach Moscow without cavalry, and we shall see if the glory of the King of Naples, without a horseman under his command, will be of any great assistance to us."

Murat, highly exasperated, violently interrupted him—

"Marshal Davoust," he said, "you would find nothing useless or imprudent in my conduct, if I were under your orders as you are under mine. It is well known that the Prince of Eckmuhl does not like to obey any one, and that he would be well pleased to be reputed the hero of this expedition, at the expense even of the most exalted; but I swear to him that there is a share here for all, let him try to find his."

This reproach was well aimed. Murat had, intentionally, emphasized the words "*the Prince of Eckmuhl does not like to obey any one*," and Napoleon had slightly contracted his brows. Davoust, who felt that he had been assailed upon a weak point, and for a fault of which he had often been accused, even by the Emperor, hastened to protest that it was his devotion to his majesty alone, which had led him to speak and act as he did. Murat again violently interrupted him.

"So, then," he said, "it is hatred against me? Well, then, we must finish with it. It has always been so since the campaign of Egypt. I am weary of it; and if the Prince of Eckmuhl is willing to remember that he has been a common soldier as I have—if he is willing to remember that he wears a sabre, and I likewise—I give him"—

At these words, Napoleon, until now, indifferent to this quarrel, at once raised his head, measured Murat with a glance which caused the words to die upon his lips, and with that accent of authority which he could so readily assume, and which was so irresistible, he said to him:

"The King of Naples has nought but orders to give to the Prince of Eckmuhl."

Murat, satisfied with these words, which, notwithstanding the severity of their tone, established his right of command, retired to his quarters.

The Emperor, left alone with Davoust, spoke mildly to him. But better seconded in his eager march, and in his desire to overtake and give battle to the enemy, by the impetuosity of Murat, than by the prudent caution of Davoust, he represented to him kindly—"*That one man could*

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not have every kind of merit; that to lead a vanguard was not to direct the movements of an army; and that Murat, with his imprudence, would, perhaps, have overtaken Bagration, whom Davoust had, by his slowness, suffered to escape."

Notwithstanding the mildness of the tone in which the Emperor spoke to Davoust, he was offended by these reproaches, and he retired, more irritated than ever against the King of Naples. An hour afterwards a message was brought him, that the first who should attempt to push this quarrel farther, should be sent back to France.

On the following day, Murat and Davoust, in concert, and by the orders of the Emperor, took possession of Viasma. But the day after, their discord was renewed. Murat finds himself in the presence of the enemy, and suddenly the thought of combatting seizes him. The order to attack is given—his cavalry at once assails that of the Russians. The infantry of the latter advances to support the horse; Murat wishes to bring forward his own, that is to say, that which Davoust commands under his orders; he hurries to Campans' division, and puts himself at its head. But, at the same moment, the Prince of Eckmuhl rides up; he bitterly reproaches Murat for engaging in this new and useless combat, and declares that he will not support him. He forbids Campans to advance; Murat repeats his orders; Davoust resists still more violently. At this insult, the King of Naples, furious at first, suddenly calms his anger. He appeals to his rank—his authority. Davoust does not heed him, and Campans, after long hesitation, obeys the commands of Davoust, his immediate chief. Then, with a calmness unexampled in his character, and with proud dignity, Murat turns to Beillard, the chief of his staff—

"Beillard," he said, go to the Emperor; tell him to dispose of the command of the vanguard; tell him that he has a general the less, and a soldier the more. As for me, I go to extricate yonder brave fellows from the embarrassment into which I have led them."

Then, turning to Davoust, he added—

"Marshal, we shall meet again."

"Certainly, if you return safe," replied the latter, bitterly, pointing to his horsemen, who were almost routed.

"I *shall* return," replied Murat, with a glance that expressed all his resolution.

At once, while the Prince of Eckmuhl retires, Murat spurs to his cavalry; rallies them with his voice; displays, in the first ranks, his tall plumes and his sparkling decorations, which are ever seen where danger calls—they surround him—they defend him—and as he still pushes onward, he finds himself victorious once again.

"Ah!" cried Murat, "the glory is still ours alone!"

With these words, he quits the field of battle, and retires into his tent. He enters alone; and, all heated with the combat, his hand still trembling from the blows which he has dealt, he writes a few lines upon a sheet of fine and perfumed paper. At this moment, Beillard appears. Murat, without questioning him as to the result of his message, reaches him the billet.

"Beillard," he said, in a calm tone, "carry this billet to Davoust."

"It is a challenge," said Beillard, without taking the paper.

"It is a challenge," answered the King of Naples, coldly.

"I will not carry it!" replied Beillard, in a tone of resolution.

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It seemed as if an electric shock thrilled Murat's frame at this reply. He turned toward the chief of his staff, with a countenance expressive of astonishment rather than irritation—

"You, likewise!"—he said, in a hollow voice, which was checked by anger.

"Sire! sire!" cried Beillard, "you shall not make me an accomplice in your ruin. The Emperor is resolute; and at your first menace he will send you back to France."

"Well, then, let him send me back! one can die elsewhere than here!" replied the King of Naples, furiously. "He forgets his army in Spain—let him give that to me; let him give me a regiment; let him leave me a common soldier, if he will. I owe him my blood, my life; but my honor is mine own, Beillard. Do you hear, Beillard? my honor is mine own, I say, and I was brave before he was an Emperor. Go, and carry the billet."

"Sire," replied Beillard, warmly, "you are indebted to him for a crown, the dignity of which you should not compromise by a quarrel with an officer of the Empire."

"A crown!" interrupted Murat, with increasing exasperation; "has this crown prevented me from being insulted to my face? These," he added, with stern joy, as he grasped his sabre and his pistols, "these have caused me to be respected all my life, and they will not fail me now. Go, then, Beillard! go!"

"You are a king," replied the chief, "and Davoust will refuse."

"Then," cried Murat, "he would be a coward!"

"It is not true," replied Beillard, suddenly; and he gazed proudly at the King of Naples.

Murat was holding his sabre and his pistols in his hands. At these words, he glared, for a moment, with an air of stupor, at the chief of his staff, who stood, calm and resolute, before him. Suddenly the face of the King of Naples changed its expression; his anger leaves him; his brow is clouded with grief, and Murat casts his weapons violently to the ground; he breaks them; he rends his garments; he tears off his sumptuous decorations, and tramples them beneath his feet; he tries to speak, but the words are stifled in his throat—he weeps.

"You are right," he cried, at last, to Beillard, "he is not a coward, and he will refuse. I am a miserable king who can do nothing—a king whom the meanest soldier may insult!"

Big drops fell from the hero's eyes, and he covered his face with his hands. Beillard took advantage of this moment of weakness, to remonstrate calmly with him; he soothed him, he flattered his pride, excited his courage, and ended with these words:

"And if the Emperor should give the command of the vanguard to Davoust, he will do all that you would have done."

This thought roused Murat from his grief; he started up, paced his tent, and his now dry, and brilliant eye, flashed lightning.

"Yes, yes!" he cried, with ardor, "I will remain. It is only here that there are battles—only here true glory. Well, then, I will wrest it from him. All for myself, and nothing for him! Not a skirmish, Beillard! I swear to you he shall not see an enemy!"

With these words he left his tent, and hastened to an outpost.

We now ask the general historian if many misfortunes must not necessarily have resulted from such feelings in such men?

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J. S. Hawks.

OUR LITERATURE—TO-DAY, TO-MORROW.

To praise the men and acts of yesterday to the disparagement of ourselves, and what we have done, may be an act of veneration, but scarcely of wisdom. It is sometimes looked on by sarcastic philosophers as an outward expiation for an inward and unstinted self-laudation; but with more charity and equal truth it may be laid to thoughtlessness, or to imitation of our elders, who would persuade us that the world is daily degenerating. "Let us," exclaimed the stout old orator of Greece, "thank the gods that we are wiser than our fathers!" So may we be thankful, that if we are not more patriotic, or better soldiers, than our fathers, we are at least wiser. If we are not more tenacious of our property, we have more that we can call our own. Every day witnesses our progression, and our emancipation from self-imposed and foreign domination: and in nothing is our advancement and our increase of freedom more noteworthy than in our literature.

American Literature.—It may have been a question in the days when an Edinburgh reviewer, sitting at judgment in oracular and undisputed dignity, sneeringly asked if any one in the four quarters of the globe read an American book; but the shrill voice of the newsboy ever ringing in our streets—the placards always fresh upon the wall, and the incessant groanings of the giant press—assure us that no fact of the day is more certain or more likely to be perpetual. What is true of all other enlightened nations of the present age, is singularly true of our own, that never before have books been so abundant and various, writers so prolific, and readers so capacious. Indeed, to express wonder at this unexampled manifestation of intellectual energy is to be original, since the generality of men have ceased to be surprised at anything, and look upon the universal diffusion of literature as a necessary condition of the progress of the race—a fit attendant upon social improvements, upon scientific advancements, and upon the creation of financial power.

In commenting on the present state of the republic of letters, foreign writers have not failed to notice the magnitude and the claims of our literature, and to acknowledge the one while they have contested the other. They readily allow that we are an intelligent and quick-witted people; that we have a taste for the exact, the symmetrical, and the beautiful; that we are acute if not profound critics; and that our writings show fertility and versatility of intellect; while at the same time they assert that our literature is superficial, marked by crudity and carelessness, fitted rather to amuse than instruct, to arouse emotion than thought, to gratify the changing caprice of the day, than to provide for the sobered and juster demands of coming time.

These opinions, in which prejudice has fully as much to do as information, are but too often echoed at home by those whose veneration for ancient and foreign institutions blinds their perception of truth, and are largely current among our reading public. We suffer ourselves to doubt our ability to write histories, or if we recognize merit in the most

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successful of those who have courted the historic muse, it is by lauding them at public dinners and celebrations, rather than by buying and reading their books. We go mad over German philosophers, and our own thinkers must make shift without our patronage, or run into the same extravagancies with their foreign brethren. And were it not that the days of epic poetry are over, it is but fair to reason that our aspirants for Homeric and Miltonic laurels would be overshadowed by their British rivals. Happily for us, neither the world nor England boasts a "great poet;" and free in one instance from foreign illusion, candid judgment rather than national feeling awards honor to our own genius.

Even in the department of miscellaneous criticism, essay, and fiction, which may for convenience be styled magazine literature, we are far from being just to our interests or our reputation. Very few of our own periodicals receive a support at all commensurate with their claims, while magazines, wholly made up from the unbought productions of foreign authors, in a few months from their commencement, count their subscribers by tens of thousands. The depressing influence which is thus brought to bear upon our own writers is a twice-told tale. Why foreign literature is so often preferred to our own, no one of us can say. The fact must be taken as it is, and classed, as some slight apology for itself, with our unnational taste, which leads us in merchandise as in literature, to ask for the "imported article."

It would be very easy to fill pages with just complaints of the neglect we show to our own literature; and the ease with which such complaints could be made, would be equalled by their inutility. Popular custom, popular prejudice, and popular obstinacy, form a strong barrier, against which open and violent attacks are ever of little avail. Men are not cured of their follies or their prejudices by didactic severities; and many a foible that policy might have made a virtue, is warped by direct opposition into an error or a crime. Indeed, those who hope at all, find much to hope for in the growth and success of American letters. It is true that our own authors are too much neglected; yet in what age has literature reaped its just reward, and in what period of our national existence has the American writer, who has done his best for the people, met with as hearty a reception as now? Amid the vast importations of brilliant and captivating literature, with which we are furnished at a price so low that it well nigh staggers belief, it is vain to expect that a people largely given to reading, and especially fond of those varieties of fiction, practical essay, and new-worked philosophy, which prevail alike at home and abroad, will pay a higher price for American writings than for an equal amount of foreign, or will at once clear their eyes from the illusions of foreign reputation. At the outset, our authors labor under a great natural disadvantage; and it should be a matter of congratulation to us that they have in part overcome the obstacle, and have created a literature which we may call, in sober truth, our own—a literature which is not unknown or unhonored abroad—which is, necessarily, adapted to our peculiar wants—which, in spite of foreign competition, and unnational literary enterprises, must daily grow in popularity, and which already gives earnest of those permanent efforts, whose number coming time can only increase.

In speaking of the popular and the permanent in our literature, no invidious distinction is intended between labors designed for the present day, and those which are laid out with direct reference to the future.

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With the universal diffusion of education, the time has come when genuine literature may be multiform, and suited to every variety of popular taste; and it is no derogation from the writer or the poet, that they employ their powers expressly for the present. It is an erroneous notion, and one which common sense examines only to discard, that the masterpieces of ancient letters were given forth in disregard of the prevalent tastes of the people, in the prophetic hope that a distant and unknown age would do them justice. It was not in scorn of the people that the divine Iliad was sung throughout the valleys of Greece; nor was it to a few learned critics alone, that in the roofless theatres of Attica the stately plays of the first dramatists were acted, but to a whole people whose unanimous applause has been sanctioned by the calm judgments of after time. The immortal pages of the Father of History were first read at great national festivals, before the world had known of scholiasts and grammarians. For the people, philosophers taught and sophists harangued. All fables of divine and human things, histories and prophecies, arguments and creeds, whether clothed in simple prose, or in the rich poetry of an early age, were addressed solely to a present and a popular audience. But when taste, and love of natural beauty and true art died away, and a tribe of men, whose only glory lay in the wine-cup and the sword, overran the world, then the few who cultivated letters talked of posterity, and buried their manuscripts from the Goth; laboring with unheard-of diligence at narrow and intangible speculations, wrangling over particles, and commas, and interpretations, "darkening counsel by words without knowledge." These, misled by the evils of their age, labored only for posterity—and with what success, the scanty and mournful annals of their times may fully show us. They had their apology, but it is madness in us to repeat their error, and to dream that to preach to the few is to secure the award of immortality. Everywhere about us, in the triumph of enterprise over romance, of the literature of utility and progress over the literature of fables, and gods, and battles, we see exemplified that truth which is best learned when soonest learned, that the people, not in sects, or divisions of money or rank, but as friendly critics, meeting on that common ground of natural taste, which neither prejudice nor misused education can wholly remove, is the only audience worth having, and the only judge between the things that are good for to-day, and those that are good for to-day and to-morrow, and those that are unfit for either. And therefore he who writes for the better taste of the people, and backs his philanthropy by talent and power, is sure of his reward, whether his energies are directed wholly to the present, or are employed in rearing structures which shall long retain their beauty and their popularity. All literature, in its earliest days confined to a few channels, was essentially permanent. Not so with us. Journalism, criticism upon the lighter matters of the day, argument upon political, social, and reformatory topics, for which a single paragraph in a future history will amply suffice, are literature. But who hopes or asks immortality for the newspaper and the pamphlet? Who thinks of preserving them to a future day, otherwise than as curiosities in corner stones, side by side with medals and fragments of cloth? Who thinks of ranking them with anything that shall hereafter be dignified with the name of classic? They have their uses, their immediate reward. And without affording satisfying scope for that large ambition which aims at

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nothing less than immortality, they fulfil their mission, and give place to their successors.

Journalism, the comprehensive title of that part of our literature which is solely popular and ephemeral, is not more a prominent feature of the age than a necessity of our national character. Although in the old world the newspaper is widely diffused and important, it is only on our own soil that its influence is pushed to its extreme reach, and its circulation made coequal with the magnitude of its audience. On one side, the cheapness of paper and type, the unlimited freedom of speech, and the importance assigned the editor; on the other, the singular eagerness with which all classes seize upon news, no matter of what kind, and the curiosity which they feel in the opinions of men who make the events of the day their especial study, combine to give our journalism an extent and power, which, under other circumstances, would be manifestly impossible. In the old world, the journal is a luxury used only by the few who can afford it; with us, it is an universal convenience, and deemed necessary even by the poorest artisan, who pays his penny for a morning sheet, to be read before the trowel falls upon the brick, or the hammer on the anvil. In our great centres of trade, journals are reckoned by scores; and it is well for the political amity of every village which aspires to municipal honors, if it boasts no more than two dailies to make high war over the issues of national and sectional policies. Turning from political sheets, we find others of mammoth size, devoted to the lighter letters, dispersed weekly to every quarter of the land; beguiling the teamster's hours, as his oxen tread slowly over the rough paths of the backwoods; recited to admiring rustics in the farmer's kitchen; spelt out by the forgeman at the door of his furnace; keeping alive in the most effectual way the mental appetite of those whose life would seem to be one continued war against the intellect. Such, in the briefest words—for that which all know cannot *be* too briefly told—is our newspaper press, which, in spite of the recklessness, the ignorance, and the sins against good taste and honor, from which few portions of it have escaped, is a genuine and fruitful exponent of our national genius.

Occupying a middle ground between the extreme transitoriness of the journal on one hand, and the undisputed permanence of such histories, poems, biographies, and fictions, as from their value necessarily claim immortality, so long as men study the acts and genius of the past, there is seen a branch of literature for which ancient wisdom had no name, and whose importance modern sagacity cannot too highly estimate. Of the Review and the Magazine, neither Plato nor Bacon ever dreamed; on no such protecting pages as theirs ever appeared the first anonymous and struggling stanzas of a Milton or a Horace; no dignitaries of the Cesars or the Henrys were accustomed to depend on them for one-half their reading and information; no parties in the civil contests that surrounded the bloody throne of the First Charles; no coteries that mooted questions of letters in the dazzling saloons of the Fourteenth Louis, drew from their pages creeds for action, or precedents for opinion. Whether the time will ever come when they will not be needed, may be left a question; but, at the present day, no classes in church, state, or literature, could exist without them. Men, who otherwise would never open a book, are forced to read them, to escape the reputation of ignorance or slowness. Men, who want information at the least expenditure of time, read them. Men, who are fond of hearing both sides of the question, read them. Men, who have

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nothing else to do—happily few in our country—read them; in fine, they are read by everybody. Where the audience is so vast, the speaker must be ambitious; and where there is ambition, there must be ability. A great deal of talent that would otherwise lie dormant, or, for want of a stimulus, be expended in the preparation of what is commonly styled "heavy material," is thus called into active service. Authors, who have grown gray in the service, find that their reputation is not at all injured, and their power felt all the more, by condensing their thoughts upon the welcome pages of the quarterly, or the monthly. Young writers, who are, not unnaturally—afraid to publish books, actual books, with the dignities of title pages and stiff covers, and the terrors of publishers' bills, experiment upon their own cleverness, and upon public taste, through the friendly and remunerative periodical. Each serial of note and merit thus becomes the centre of a crowd of writers, critics, and amateurs, of all grades of excellence in their respective vocations. Side by side with the plaintive murmurings of some Lydia Languish, whom the polite editor has the misfortune to know personally, and, therefore, cannot deny the favor of an occasional insertion, may be found the stirring lines of Longfellow, or the mirthful cadences of Lowell. This side of the leaf concludes some maiden effort, crude, rickety, and confused, barely saved from the rubbish basket by here and there a sentence or an idea which stands in bold relief against the rest, and leaves the reader to judge by further attempts whether the writer is a genius or a fool;—turn over, and you enter on the rich periods of Irving, or the iron paragraphs of Carey. There is no greater leveller than this popular and common ground of authorship, and no severer test. Good and bad, model and copy, force and tameness, are thrown in to jostle with each other, and in this contest, as in every other, weakness goes deservedly to the wall, and strength deservedly triumphs. "He laughs who wins," —and the writer whom the people love, may well afford to snap his fingers at the critic.

This is called popular literature, and so it is; but there is permanence in it also. A vast part of it lays no claim to the regards of to-morrow, and passes away like cancelled checks or paid notes, which have served their use and are forgotten. Much of it that would have outlived its day, had it been produced when authors were rarities, is swept away by fresh floods of novelties, equally good, and equally transitory. Then there remains a small part, like fine gold tried in the fire, which from those rare qualities that all men can appreciate on the instant, but which reams of disquisition can never explain, will go down to all time. Much that passes away is excellent; but there is no alternative between perfection and oblivion. The world finds out soon enough what deserves to live, looking neither at paternity nor circumstance, nor at the length of the performance, nor at its subject. A ploughman with genius has become the literary standard of a nation. An elegy of a dozen stanzas, and an ode of scarcely as many lines, become themes for the criticism and models for the taste of whole generations, while swelling epics line trunks, and rhythmic five-act tragedies are sold to wrap the wares of the shopman.

So long as our best writers continue to put their productions before the people, through the pages of the Magazine and the Review, from periodicals must necessarily be taken much of the permanent in our literature. And it is the peculiar merit of this condition into which author, publisher and reader enter with such hearty good will, that it incites a brevity and

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finish of composition, which is too often neglected in the preparation of ponderous volumes, and a regard to popular taste, of which the seclusion necessary to more lengthy undertakings is careless and often ignorant. It requires no profound logic to show us, that if posterity has as much on its hands as we, it will have little time to bestow on the big books we have written, unless they are miraculously good of their kind. If to-day, the writer who joins brevity with excellence, is more read than he who spins his ideas through a folio, his chance of being read to-morrow is surely much greater. When all our men of genius shall have considered this, we shall see better writings, and upon fewer pages. It may be we shall have fewer books from all classes of authors, for the generality of writers are wondrously imitative, and will even copy brevity, if brevity is the popular model. Should this happen, our taste and patience will alike commend the means by which it was brought about.

The poem, the essay, the tale—of examples of these joined with the names of Poe, of Legaré, of Longfellow, of Whittier, of Taylor,—names scattered on a list, the sifting of which we reserve for the ungrateful task of the next generation—a settled fame may be predicted among American letters. The merits and success of Wieland and the Pathfinder, warrant us in the expectation, that when age throws a romance over the early days of our national existence, and custom has fixed marked and peculiar features to our every-day life, we may see the rise of a standard Fiction, unmistakable as if produced by a Fielding or a Bulwer, and fitted to satisfy that natural taste which pictures of foreign life necessarily disappoint. With more of patience—shall it be said indifference?—we can wait for a great national epic, the ghost of whose conception frowns grimly on all future bards, from the mouldering remains of the dead Columbiad. In the rich field of biography, we may feel that we have not labored in vain. Genius, like that which has made immortal the first and greatest orator of the Revolution, and like that which has deepened our reverence and affection for the noblest soldier and the purest patriot whom the world has seen, has not left us, and will not, so long as free institutions teach us to study the characters of our great men, and enable talent, and wisdom, and strength of purpose, to rise from obscurity to honor. It is no small encouragement to the writer who labors in this department of our literature, that the success of his works is a sure guarantee of their undying and undisputed permanence. And, perhaps, this certainty forms the strongest incentive to that studious preparation and candid research which is so necessary to the biographer, whose task is only less hard than that of the historian.

Difficult, indeed, is the task of him who would write the annals of the American confederation. For, besides those obstacles to truth and fairness which historians in every age have encountered, conflicting testimonies, disputed and discordant facts, uncertain traditions, plausible pretensions, perversions of jealousy and partiality, he will have to record the progress of a people, rather than lists of dynasties or battles, and must trace not only the march of empire and the improvement of government, but also the extension of knowledge in the important and practical sciences of the age, and the numberless offshoots of widely-believed opinions.

Foreign critics deny our ability to write a history worthy of ourselves. Even under their own conservative institutions, it is hard to find sober

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reasoners—men who are not partisans or theory-mad. They ask, if the world shows writers of the learning of Gibbon, or the clearness and candor of Hume. Who, they ask, is willing, for the honor of literature or for his own fame, to devote so many years of quiet labor to the preparation of material and the formation of style, as these great masters of their art? Who thinks it worth the while to study classic models, in order to avoid errors which they must otherwise commit, and to imitate excellencies which all time has sanctioned with its heartiest commendation? And how much greater the difficulty when the writer is obliged, in addition to the adverse circumstances under which he labors in common with all others, to contend against the influence of surrounding institutions; against a hurrying and prevalent desire for immediate reward; against the madness of party; against an inbred and national aversion to protracted investigation; against the impulse to do the work of years in days. Surely foreign jealousy is not without the semblance of an excuse, in predicting no higher results from our attempts to write history, than party pamphlets or narrow chronicles.

Time must show whether we are capable of excelling in this noble and difficult department of composition. The materials for our history are unprecedented in variety and moral sublimity. On principles different from any before tried, we have constructed what has been often fruitlessly attempted. Our history is the record of a vast and memorable event, and it will require genius of no common order to write it in a manner worthy of its subject, and apart from its subject, deserving of a place among the annals of nations, whose destinies have been made immortal by the greatest authors. In this field of literature we are yet new and little tried; but from what we have done we may well afford to hold disparaging criticism in abeyance, and look forward hopefully.

It remains briefly to mention one part of our literature, which, in spite of its disputed tendencies, and the shade of discouragement thrown over it by modern codes, must always remain important and noticeable. I refer to the Drama.

A dozen years since, American dramatic literature had no existence. We had a stage, but the pieces on it were of foreign authorship. There was Shakspeare, whenever it was found he would "draw;" and there was Congreve, when an audience would tolerate him; and there were Goldsmith and Sheridan, when the hearers were fashionable and critical; and for constant use, and lengthy seasons, there was that miscellaneous gathering of fugitive, anonymous, and standard plays—the well known "London Stage." Almost our first attempts at playwriting, were those monstrous, but wonderfully popular representations of our city life, of whose influence we witnessed indications in the windows of every print shop, and in the hourly talk of the whole lower class of society. And so prevalent became the influence of these preparative, but demoralizing plays, that it began to be gravely thought abroad, that the mass of our population had no higher ambition than to sport the dress and language of a rough fireman, and practice the peculiar diversions of the stable and the race-course.

Hard upon these, however, there have been plays of a different stamp produced by American writers, which from their own excellence, and the large share of favor with which they have been received, promise to be honorable and lasting additions to our literature. Without the aid of that illusion which always attends foreign productions, and unheralded by that

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puffery for which, as a nation, we are but too famous, they have created continuous audiences in our great centres of dramatic taste, and received the silenter, but not less sincere, applause of our justest critics. As it is the peculiar charm of dramatic literature that it never grows old, and that its triumphs to-day are its triumphs to-morrow, those efforts which our enlightened judgment has approved, may, with entire confidence, be committed to the warm regards of a coming generation. And it will add much to the vigor and popularity of a drama, which we are just beginning to call our own, if we are careful to work into it those features of our every-day life which are now most striking, and will hereafter be most interesting; if we are satisfied with the simple and the true, and are content to deal sparingly with the classic and the ideal—remembering always that our audience is the people.

A single word, added to the subject rather than drawn from it, will end this brief paper. What our writers most need, next to that indispensable qualification, genius, is study—not so much of books as of their audience. In his solitude, the author is apt to make himself the object of his intellectual exertions—posturing himself in the attitude both of performer and audience. But in reality the author is nothing—and what he says is everything. In sympathizing with the honest vicar, we forget Goldsmith; in our compassion for Lear, we give not a thought to Shakspeare. Had these great authors continually thought, "How will this or that character show forth myself?" they would never have drawn pictures at once so popular and so true. Authors must study life, or they will only caricature their own ideals. We have life enough about us, rich in variety and matter for description: our fault lies in egotism and in imitation. We have too much pride to serve up human nature to the people; and our wish to be successful, without lowering the dignity of our conceptions, leads us to copy men whom all the world praises—overlooking the fact, that they are popular simply because they gathered their materials from familiar life, and lent their genius to adorn common things. Our authors can make their to-morrow fruitful if they will. Our successes to-day ought to teach us wherein lies the power to succeed.

BLOOMER-RIGHTS.

Whither have fled the gallant hearts
  So famed in many an olden story,
Who felt that woman's smile imparts
  The truest sense of earthly glory?
Alas! the men, degenerate cases,
With ladies now have changed their places,
And gentle dames once served so true,
  By many courtly squires and knights,
Their own campaigning now must do
  To win the cause of Bloomer-rights.

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FARMING.*

During a recent debate in the French Chambers, M. Thiers remarked as follows:

"*Two great nations are now entering on a manufacturing career, America and Russia; one has a democratic, and the other a despotic form of government. Both are making rapid strides. The Americans have good reasons for advocating the system of free trade. They have all they require for food and clothing. But if Washington were to return on earth, what advice would he give his fellow-countrymen? I am sure that he would advise them to remain agriculturists, as the surest means of liberty and of greatness.*"

This is the crude notion of one of that school of statesmen brought up in the corrupt atmosphere of "paternal governments," or monarchies, or oligarchies, who suppose that a nation may or ought to be moulded to some particular pursuit best adapted to the aggrandizement of the governing few, through the operation of restraining or guiding laws, and consequently that, *by law*, a nation may be made agricultural or manufacturing, or commercial, according to the whims of a few inflated representatives. It is true that the influence of a government may largely promote the activity of some particular trade, but it must be at the expense of others; and in such a case, the aggregate wealth of a nation which consists in its industrial productions, will be less than if no portion was restrained. Thus, during the wars of the first part of the present century, the large expenditure of the English government promoted the manufacture of munitions of war and the profession of arms. The principal occupation of a whole generation was arms and the manufacture of munitions of war, and that interest became so considerable as to make a return to peace difficult, and entailed immense distress upon the necessity of doing so; but no one will contend that all legitimate branches of industry were not injured, or that the marked decay which England now exhibits is not a legitimate consequence of the "protection," so to speak, then conferred on the war interests. The United States interests are naturally and essentially agricultural, as England is commercial and California mining. To advise the former "to remain agricultural," is to advise the African to remain black, or the Gaul to remain French. Seven-eighths of the inhabitants of the United States are cultivators of the soil, and the government possesses one thousand millions of acres of unoccupied land, of the best quality, and a rapidly increasing population annually spread upon it, free of cost, producing by the simple application of their labor a superabundant supply of natural wealth. This product is the means by which capital of all other descriptions is drawn from the old world. Yet, a statesman of France supposes that nothing but "advice" restrains these people from abandoning that soil, and

* The Farmer's Guide to Scientific and Practical Agriculture, Detailing the Labors of the Farmer, in all their variety, and adapting them to the seasons of the year, as they successively occur. By Henry Stephens, F. R. S. E., author of the "Book of the Farm," &c., &c., assisted by John P. Norton, M. A., Professor of Scientific Agriculture in Yale College. In two vols., with numerous Illustrations. Leonard Scott & Co., New-York.

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becoming manufacturers with capital that they do not possess. But both M. Thiers and all others of the protectionist school, begin at the wrong end. Where there is a great and prosperous agricultural people, the demand for all manufactured articles increases not only numerically as the numbers of the consumers, but geometrically, or as the numbers multiplied by the growing individual wealth. Thus, if in a new state 1000 families require $20 of supplies each this year, the demand for goods is $20,000; in a few years more, 1500 families require $40 worth each, and there is a demand for $60,000 worth of goods. It is in this demand that the true encouragement to manufactures and commerce exists. Agriculture is the basis of the whole superstructure; the welfare of manufactures and commerce flows from its prosperity, which diminishes under the pressure of protective laws. Where there is a flourishing plough, the loom and the anvil, being moveable instruments, find their profit in supplying it; and that loom which is so situated as to require the least transportation of materials and fabric, is the "best protected," without any intermeddling of the law-makers. When that loom asks the government to compel the plough to pay it a premium on account of its proximity, all sense of justice is perverted, and all the disadvantages of distance are created. In England, where the agricultural is the aristocratic interest, the loom seeks to be relieved from the burden of supporting the plough; in the United States, the loom demands that the plough shall support it. In England, the plough demands that the loom shall pay high for bread; in the United States, the loom demands that the plough shall pay exorbitantly for goods. Common sense and the national interests in both countries demand that the plough in the one, and the loom in the other, shall be entirely unrestrained by legal enactments in their productive operations.

With the advancement of science and the development of inventive genius, the taste for both food and raiment has become more refined, and the wants of civilized people more diversified. It may be said, that the food of the bulk of the people in all countries remains now nearly what it ever has been; but the supply has become greater in proportion to the inhabitants of different countries, according to the fertility of the soil, the industry of the people, and in the improvements in the instruments of labor. Governments have, in modern times, attempted, by means of parchment laws, to extract from a barren soil, an unintelligent people, with rude and primitive instruments, food, on terms as advantageous as an industrious people, with the aid of eminent science, can extract from a fertile soil. Others have attempted to compel the possessors of a fertile and extensive soil to abandon agriculture, in order to rival the artificial productions of regions less naturally favored. Under pretence of effecting this object, they have compelled consumers to forego all the benefits of more favored regions which commerce would confer on them. The effect has been greatly to retard the progress of the people of all countries. In fact, it has been the avowed policy of many modern princes to preserve the *statu quo*, as that in which the people enjoy the greatest happiness. When we look upon the progress of the human race, from the rude ages to the present comparative high state of civilization, we become struck with the conceit that would presume to fix upon any stage of advancement, as that beyond which it is not desirable to go; and which would attempt to retard progress by restrictions upon individual business, and prohibitions upon intercourse, while new inventions in the sciences and the arts, have

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conspired vastly to multiply the quantities of clothing which may be produced by a given amount of manual labor. The production of food has been comparatively unattended by such auxiliaries.

In the production of food, science has, by judiciously dividing labor, enabled the cultivator to extract a larger quantity from a given surface of land, but the increased outlay of labor and capital is so proportioned to the enhanced productions, that the cost of the crop is not diminished. Thus the product of wheat in England has risen from 24 bushels per acre in 1793, to 32 bushels in 1850, while the price remains the same. In the former year, cotton twist sold at 49 pence per pound, and in 1850 at 10 pence; that is to say, a bushel of wheat in 1793 was worth 12 pounds of yarn: it is now worth 48 pounds of yarn; its relative value to cotton yarn has increased 400 per ct. Iron has fallen from $85 to $30 per ton; that is to say, at the commencement of the present century, one ton of iron was worth 8 bushels of wheat: one ton of English bar iron is now worth only 2½ bushels of wheat. Thus labor applied to agriculture will yield no more food now than at the close of the last century, but surplus food will obtain vastly larger quantities of all other productions. In this period of sixty years, the money value of those articles which the United States buys of foreign nations has been falling, while the value of those things which the United States sells, has remained nearly the same. Thus in the year 1790, the United States exported flour at $4½ per barrel, and in 1850 at 5½ per barrel, and the results are thus:

Exported.	Bbls. flour.	Price.	Value.
1790	820,132	$4½	$3,600,000
1850	1,485,000	$5½	$7,742,315

The flour exported in 1790 was worth 36,000 tons of iron at $100 per ton, the price of that year. The same quantity of flour in 1850 was worth 150,000 tons of British iron. Thus it is that the American farmer grows rich, not by the increased money price of his product, but by its stationary value, giving him four times the quantity of comforts and necessaries that he formerly enjoyed. The protective theory seeks to deprive him of this advantage, by compelling him through the operation of tariff laws to continue to pay old prices; or, in other words, to take a small quantity of other articles for his farm produce.

The process which has been gone through in the "textile fabrics"—that is, of producing larger quantities for less labor through the aid of science, has, in some degree, been experienced in agriculture, through the settlement of new lands, and the machinery of locomotion has reduced the market cost of most articles to some extent. The growth of manufacturing and commercial interests on the sea-board has conferred upon the Atlantic lands a "home market," which in some degree compensates by proximity of sale for the more prolific yield of distant states. The multiplication of rail-roads, however, by cheapening transportation, is overcoming this advantage, and is daily making more necessary a higher standard of cultivation in the older states; and although that minute finish which is found upon the best English farms, may not be attainable, and perhaps not desirable among us for the present, yet there is much to be learned from the experience of the English cultivators that is applicable to the wants of our own farmers; and the work quoted at the head of these remarks is of immense value, not only as a means of instruction to

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young farmers, but as a comprehensive dictionary for reference and consultation upon all possible questions that may arise in the course of farming business. This is the more important and desirable that, as we have intimated, events now point to the United States as the future source of supply for agricultural productions to western Europe; and, apart from the applicability of British usages to American farms, it is of importance to know and understand those usages, in order the better to meet the wants of the markets there. When the prohibition on the importation of food into England was removed in 1842, the export of provisions thither commenced, and the packing of pork, the preparation of cheese, and many other modes of adapting produce to the tastes of the new customers, were learned only by a persevering struggle against adverse events and repeated losses through successive shipments. Those difficulties in leading articles are now overcome measurably, but the national tastes still require assimilation, and the work of Mr. Stephens is of the highest importance in this respect.

It has been well remarked—

"Perhaps the most remarkable feature in the work is the immense mass of varied information which it contains. *The Book of the Farm* is, indeed, a many-chambered storehouse of agricultural lore—a vast repertory of information on the subjects of which it treats. To prove the erudition of the work to those that may be yet unacquainted with it, it may suffice to state, that there are above fourteen hundred references to authors, ancient and modern, continental and domestic, who have written on the subject of agriculture, and on the allied branches of art and science. The references in the work are equivalent, indeed, to a *Bibliotheca Agricolaris;* and by directing him to the authorities and sources of knowledge, will enable the educated agriculturist to prosecute his inquiries on any peculiar branch of his business in which he may desire more minute information than even the text embraces. *The Farmer's Guide* is, in fact, another "Stephens' Thesaurus;" and the author must evidently be one of those robust geniuses, who can grapple with whole libraries, and reduce them to their service. Let it be understood, too, that the author's powers of assimilation are as excellent as his literary appetite; that the information is not heaped together in rude disorder, but is interwoven naturally with the texture of the narrative—every fact falling fitly and easily into the appropriate place, where it may best illustrate the precise point discussed. In nothing more than in this does the learned author show his complete mastery of the subject. We fancy that the tenant farmer, in perusing this work, must often feel how much its author has dignified his art, by showing him how many sciences contribute to its advancement, and how many authors of great learning and talent have devoted their labors to advance the progress, and to vindicate the rights, of husbandry."

"But all this learning may not be allied with practice, and the author of *The Farmer's Guide* may, peradventure, be only a book-farmer—a species of impostor that has done a world of mischief in his day and generation. Quite the reverse. The author is enthusiastically practical, and his work is intensely practical. He seems, indeed, to look somewhat askance at any alleged improvement that is not likely to be profitable and beneficial; and we can fancy that he would abate the pretensions of an empiric boastful of some grand discovery, by asking, with an awful mildness, *Cui bono?*

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We can assure the agriculturist, that in Mr. Stephens he will find an instructor thoroughly and eminently practical. He is perfectly familiar with the processes of husbandry. He writes not merely as an eye-witness, for it would appear from his book that there is scarcely any one of the manual operations of farming which he had not learned, and, by continued practice, acquired expertness in performing. We believe that there is no author, living or dead, who has written any similar work on agriculture, of whom the same thing can be said. It is an unspeakable satisfaction and comfort to the practical farmer to walk in company with such a guide. We remember very well the impression made on our mind by the first perusal of *The Farmer's Guide.* We at once learned that the author, from actual practice, knew perfectly the employments of the ploughman, the agricultural laborer, the cattle man, groom, and shepherd. With the most minute and insignificant, as well as the most important operations of husbandry, he seems equally familiar. We soon discovered that his knowledge of the history, habits, diseases, and general management of stock, was as perfect as if he had studied nothing else. He writes as minutely about cattle, as if he had spent half a life-time in the cattle-court, and urges that their 'comfort' should be attended to as earnestly as if he were consulting for his wife and family. When he discourses on the fleecy people, you conclude that he must be a mountaineer, and that he has tended his flocks amid the valleys of Clova, or on the slopes of the Cheviot. This idea, however, was speedily dispelled by finding our author quite precise on the piggery; in fact, a most learned and enthusiastic *Porculator.*"

"The primary intention of the author seems to have been to compose a work that might prove a manual of instruction to young men who were studying agriculture, and preparing themselves for the practical business of farming. But, in reality, the work has outgrown the original idea, and it forms now a complete code of instruction, not only to the learner, but to the experienced farmer, to the land-owner, and, in fact, to every one whose interests are dependent on agriculture, or whose duties lie in any one of the multifarious departments of rural affairs. The plan of the work is perfectly original, (although old Palladius may have given the hint,) and seems to us peculiarly felicitous. Mr. Stephens divides the year into the four agricultural seasons—not absolutely coincident with the chronological division, but sufficiently distinctive—each having its respective class of operations to perform. The work might, in this aspect, be described as the Farmer's Book of the Seasons, with the employments peculiar to each copiously described. There are undoubtedly cycles, recurring periods, if not of repose, at least of change, in the farmer's employment; and, by keeping in view these landmarks of nature, the author enables his reader to comprehend, step by step, the progressive advancement that takes place in the business of husbandry. We know no other work that affects even to do this, or from which it would be possible for the student to acquire an intelligible conception of the actual system of husbandry, in the natural and consecutive order in which her processes take place. It seems strange, that in preceding works a similar plan had not been adopted. In learning a profession, men begin at the beginning, and proceed gradually onwards through the curriculum of study and of practice. How should it have been thought that it could be otherwise in agriculture? Agricultural dictionaries and cyclopædias cannot possibly expound a system of husbandry, and it would defy any sagacity to frame one out of them.

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Their articles may individually be worthy of occasional consultation by the initiated, but they present to the student a bewildering and motley jumble of instruction—'beer' being found, perhaps, next neighbor to 'beet,' and 'bones' in juxtaposition with 'botany.' Their prelections, written in different styles, and by authors differing oftentimes in opinion, resemble a multitude of loose, independent, and particolored threads. In the *Farmer's Guide* we find all rightly arranged, and woven by one artist into a web of continuous and consentaneous narrative. The concluding part of the work is entitled 'Realization,' in which the author places his pupil on a farm of his own, pointing out the principles that should guide him in his choice of a farm, and teaching him how he should reduce his knowledge into practice. This is not the least valuable part of the work, and in the strongest manner indicates the superior value that the author attaches to skill, energy, and success in the actual practice of husbandry, in comparison with any knowledge of the 'book theorie,' or any passion for experimental freaks. Having fairly embarked his agricultural alumnus in the business of life, Mr. Stephens, as if loth to leave him, still accompanies him with invaluable directions, and continues to counsel him in the kindliest strain regarding the duties which he owes his servants, his neighbors, his landlord, and himself. Upon the whole, there is something approaching to epic excellence and dramatic unity in the conception and execution of the work; and when the author in his final paragraphs bids us adieu, and expresses a hope that his labors may prove profitable and instructive to his brethren, it is impossible not to feel that the curtain has fallen upon a complete performance.

"As *The Farmer's Guide* contains 1,456 pages of clear but close print, in double columns, and embraces the whole range of subjects connected with the conduct of rural life, any one will see the imperious necessity of a carefully compiled index for such a work. From the beginning we saw that the book was well planned and paragraphed, (the paragraphs now numbering 6,459,) but no excellence of arrangement could compensate for the want of an index. We are therefore happy to add, that the value and utility of the work are consummated by the index appended. It is accurately digested and arranged, rendering reference easy and expeditious, and giving the reader a complete control over the voluminous contents. We have found it a prompt and sure guide to any particular point in the varied realms which the author surveys. We have narrowly tested its virtues, and having found it to fail but in one solitary case, and that only partially, we feel bound to approve of the judgment and labor bestowed upon this part of the work. We dwell upon this feature of it not only as momentous in itself, but because the possession of such an index gives *The Farmer's Guide* all the advantages of an agricultural dictionary, while it has merits of its own to which such a work can never lay claim.

"In describing the general character of the work, it would be grievous injustice to omit mention of the admirable manner in which it is illustrated. It is enriched with 14 engravings on steel, and 589 on wood, of the most exquisite quality. The portraits of the animals are not from fancy, but are faithful likenesses from life; and we know nothing more excellent or characteristic—not even Professor Low's elaborate and colored plates of the domesticated animals."

The work is adapted to American wants, through additions from the very able pen of John P. Norton, Esq., Professor of Scientific Agriculture

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in Yale College. The professor remarks generally upon the subject as follows:

"But besides the effects of climate, there are other causes which, in so widely extended and so thinly settled a country as this, produce scarcely less marked variation. Among these are distance from market, and from the means of transportation. When the products of a farm must be carried a thousand miles before they can reach the nearest seaport, the single question of transportation will decide as to the most profitable form of produce.

"Those who are located at such a distance, even upon the principal avenues of trade, as the Mississippi and its tributaries, or the great interior lakes, sometimes find prices so low as to render the ordinary modes of cultivation almost profitless. The wages of labor are high, and it is only attainable with difficulty. Under these disadvantages, it is obvious that the finished modes of agriculture practised in older, fully populated countries, are inadmissible.

"We may well doubt if the culture of the best English or Scotch districts can be introduced into any part of this country without very material changes. Our farms are, in reality, much smaller than theirs; not in nominal extent, but in the actual amount that is cultivated thoroughly. I do not, of course, take into account the immense wheat fields and corn fields of the West, but speak here of the older states only, where land has become valuable, and, consequently, more subdivided.

"We cannot, with our prices for labor, afford to bestow that minute perfection of finish exhibited by a first class British farm. We have not, on the majority of our farms, that division of labor which is, without doubt, most profitable, and which is exemplified so fully in Mr. Stephens' work. Each man is ploughman, teamster, mower, &c., &c., by turns, often, perhaps, all in one day. This system has great defects on the score of economy, but contributes largely to that feeling of independence and self-reliance which so strongly characterizes the humblest individual in our states, where all are taught to consider honest labor honorable."

The great and radical difference between American farming and English is not, however, in the price of labor, but in the fact, that in America the most prolific soils cost nothing; the farmer treads his own soil, is his own landlord, and is comparatively free of taxes. If a taxed farm in England, which pays $50 rent per acre per annum, can afford to employ even cheap labor in the minute finish of details, surely a farm in America, which is tax free and rent free, can afford to pay a little more for the same species of labor. In England, a landed aristocracy draws immense wealth from land cultivated by tenant farmers, through the operation of laws which compel the consumer of food to pay for it such a price as will cover the cost of production, including those exorbitant rents. The removal of the duties and the admission of foreign corn from "free farms" involves a diminution of rent or a diminished cost of culture, and the utmost exertions of the English agriculturist are now directed to this latter object; but it is very doubtful whether the cost of culture in England can be reduced to an extent equal to the reduction in the cost of transportation in the United States, where the profits of good farms are considerable, if not equal to the rent which the English farmer pays to his landlord. Since the admission of foreign corn free into England, vast efforts have been made in that country to reduce the cost of production; that is, to raise larger quantities at the same outlay of labor. To effect this, large capital has been expended, and it is supposed that, in consequence, the aggregate product of what is called a good harvest will be larger than in former years. In the United States, however, the abundance is great, and cheapened transportation will keep down food in England far below the rate at which the rent and tax-

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burdened farms of that country can deliver it. Hitherto, however, the American farmer has been subjected to tribute to an aristocratic class, to whom he has been compelled to yield up a portion of his earnings without compensation. As in England, the landed aristocracy compel the consumer to pay more for food in order that that excess of prices may reach their coffers in the form of rent; so in America, manufacturing capital has compelled the farmer to pay more for supplies in order that the price enhanced through the tariff may reach their coffers in the form of corporate dividends. In both countries the profits of the practical farmer have been *exploited* by a moneyed aristocracy, under pretence of protecting him. And the hour of emancipation approaches in both countries. In England, the rent interest keeps up a clamor because their unearned profits fall short of their pampered appetites. In the United States, the "protection begotten" factories wail over diminished dividends, while the self-dependent industry of the skillful manufacturer was never better rewarded than now. It is a known fact that the consumption of manufactured goods in the United States, of home production, that is, of United States manufactures, is far greater per head in the United States, than is the consumption of British manufactures per head in the British Islands. The reason is, that the joint operation of a long course of so-called protection, heavy taxes, and onerous debt, impoverished the many for the benefit of the few. In the United States, the unaided operation of protective laws operated in a lesser degree to the impoverishment of the many. The producers of wealth here enjoy a larger share of the products of their own industry. It is the equal diffusion of wealth which is the great blessing in our country, and, at the same time, a guarantee against violent changes. That which is most requisite to preserve and promote this equality of wealth, are means of communication, and there are now being constructed throughout the country, with extraordinary rapidity, main trunks of rail-roads forming lines of communication from west to east, to the north and south, while lateral branches constantly open new intermediate connections, and the use of plank roads form local *nuclei* for the collection of farm produce. A vast amount of money is annually expended in these works, and a vast amount still requires to be spent, but the markets afforded in England and western Europe, for the produce of farms thus opened, supply the means for building the works. It is through the operation of the farming interest that the capital of the old world is being transferred to the new. It is by excluding that capital that protection seeks to maintain the profits of capital in the Atlantic states at the expense of western industry.

A SIMILE.

The sparkling lustre of the gem
  With an unfading beauty lives,
The wave may *wear* but cannot *dim*,
  The brilliant gleams of light it gives:

So with my love for thee, through life
  The stream that wears my soul away,
Howe'er it tears me in the strife,
  But adds new lustre to love's ray.

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REEDYRILL.

PART III.—LAURINE.

I was now returning from the classic shades of old Nassau Hall, imbued with "Clio's" mysteries and beauties, to my boyhood's home—to my home in the out-of-the-world woods of western Kentucky; but that southern home in the "barrens," among uncourtierlike, but hearty, noble, home-bred Kentuckians, was dearer and fuller of pleasure to me than the icy polish, and cold, heartless ease and affability, drawing-room graces and superficial politeness of the calculating "men of the world" of the city, or the frigid morality of the pharisaical Northron.

I was coming back amongst men who would drink a jolly glass—play a social game of whist—occasionally have a row at a "'lection" or on a court day—bet on a horse-race, and resent an injury or an insult by the bowie and pistol, instead of a cowardly prosecution at law; as if a man's honor could be paid with a price.

I was coming back among the beautiful women of Kentucky, who, if they blushed and looked awkward at an evening party, or refused a beau the license which women of fashion deem it prudish to refuse,—if they lacked the affected coquetry and easy *savoir faire* of the city belle, yet far excelled them in beauty and true grace, loveliness and intellect, and made what Kentuckians far more admire and appreciate than such tinsel accomplishments, good wives and mothers.

I was leaving all this for the pure, unworldly charms of *home:* and I did not regret the change.

"In the youth and primy time of nature," full of health and happiness, hitherto the roses, which had embowered the roadway of my life, had hidden the thorny ruggedness of rock and quick-marsh which beset it. Hitherto, life had been a sunbright stream, and the barque of my destiny had borne me lightly and merrily along its flower-bordered, bough-shaded, heaven-mirroring bosom: blue, placid and serene, unruffled but by some summer zephyr; and I had done nought but dream away those sunny years and frolic through those fairy scenes—blessedly ignorant of the shoals, and storms, and heaving billows, on the dark river to which that laughing stream was hastening with such heedless hurry. How beautiful was life to me!

And why should its freshness ever fade? It need not. Preserve but immaculate its primal purity, and the golden joys of youth will be perennial. They say that contentment is the only source of happiness!—the happiness of a hog! Why, there's more happiness in contest, in action, emulation, pride of success, hopings of future, dreamings of the past, than in all the slothful basking of contentment. *Purity* should be the word. Purity of thought and action: without purity there cannot be beauty. Beauty begets love—love begets happiness—contentment, if you will, will supervene upon these, and then there is poetry.

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Thus it was with me as I returned to the home of my childhood. Luckily, I had been uncontaminated by the dangerous temptations which some minds encounter and sink under at college; it was otherwise with me—my college life was but little tainted by contact with the gross sensualism so prevalent there—it was then as pure and happy as at any earlier period of my life. It was after this—in the hour of adversity—that the murky flood of unclean pseudo-philosophy came near to sweeping my soul into the foul slough of sin and unbelief: it was after this that I was tossed about on the dark, boundless mist-ocean of Infidelity—rudderless, reckless, seeking rest and finding none. Maddened with the idea of the infinite divinity of soul, I tracked through those limitless mists, following the Jack-o-lantern glare of the seeming—deeming its dreamy gleaming, its false flickering flame—the sunlight of Eternal Truth to be. Denying in my soul's arrogance that there could be aught beyond the ken of human reason, and disdaining that ultimate Truth should be unattainable.

It was after this that this chaotic whirlpool, into which I plunged so boldly, mastered with its mighty current my feeble powers; and the stout swimmer, weakened by bootless effort, gave up in despair the struggle, and was dashed upon the rocky shores of Disbelief: sought refuge in the blind denial of Truth, because he had found it not—because he had never been put in the right way to find it, but had wandered blindfold by folly and plausibility, seeking the obliteration which he had found to be fruitless in the dazzle of dissipation and the apathy of a sullen misanthropy.

That evil hour was not yet come. As yet, my heart was full of serene joy as a summer day is full of sunshine.

How did my heart bound merrily when the lumbering stage-coach, with its four dapple grays, rattled down the long-gently sloping hill, and the spires of dear old Haysville peeped out from the smoke of the chimneys, and the tree-shaded housetops burst upon my delighted eyes! From the elevation of the hill the beautiful village was seen nestled in a broad shallow vale, skirted by wooded undulations of low hills, with miles of forest and farmstead around clad in the rich garb of autumn; and the beach-embowered stream, with its romantic wooden bridge, casting its long deep shadow over the calm water; the snow-winged pigeons skimming over, and the cackling geese frolicking on its sparkling bosom—the old ruined church, amid the green grass and white grave stones on the top of a bluff hill, skirting the stream.

The merry damsels or sober citizens whom I could catch a glimpse of now and then, walking about, or at a window or door—the old-time quiet unfashioned peacefulness that pervaded the objects, all associated with the fairy hues of childhood's dreams, now lay before me—lay in the heavenly haze of autumn like a new dream of old charms—of long away-gone days.

The thrill of joy that suffused my heart may, perhaps, be imagined by those who have ever experienced a return (in happiness) to home—the emotions I felt on beholding this familiar scene, dear to every tender association, and the memories of my childhood which came crowding into my mind, were almost painful in their intensity. But I revelled in an ecstasy of joy. I was seated on the box, where I could see everything, and I threw up my cap and shouted, "Hurra! for old Haysville," with an exuberance of delight that nearly sent me and my cap both overboard.

A perfect fever of pleasure tingled through my whole being, as the driver wound his bugle and cracked up his merry grays into a gallop—every

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turn of the rapid vehicle bringing us nigher and nigher to that dearest of all journey ends—home. I drank in the delights of the scene and circumstance, while the old coach whirled madly along the smooth gravel road, clattered across the wooden bridge, making its timbers crack; then out again—a turn around a corner, and now we go tearing down the street at a prodigious rate. Each instant I was passing some familiar face—some familiar spot. It was evening, and as we passed by the old school-house, the sight of it brought back the days of my schoolboy life and of my holy dread of old Dominie Rumsey and his birchen rod. How I reverenced his lore, and silver locks—and how I used to wonder if I would ever get to read Horace and Homer as he did! I thought of the times I used to have with Bol, Blount, and Charley Scamper, and Wad Aukley, and a dozen others, now scattered to the four winds of heaven—now innocent, joyful, mischievous schoolboys no longer.

The sight of the crowds of noisy boys laughing and capering in their glee, for 'twas evening and school just out as I passed, all so like what I used to be—and it seemed so short a time, too, since I had been as they now are—I hardly knew whether to laugh or cry. A curly-headed, dirty-faced urchin scrambled up on the fence to see the stage-coach pass, and suddenly hallooed out, "Boys, it's Ernie Kerne on the box there, I do believe!"—how the rascal knew I can't imagine, for I had altered exceedingly since I left home. "It's Ernie, come back from college. How d'ye, Ernie? Hurra! boys, three cheers for Ernie Kerne." I waved my cap to them, whereat they cheered most uproariously. I had more pride in that schoolboy welcome than the greatest man in America would have in the fulsome plaudits of a political herd of "sovereigns."

As we turned the corner of the street, I noticed on the sidewalk by Mr. Starling's, two gay and fashionably-dressed young ladies walking leisurely together, and on glancing at me, one of them suddenly exchanged her look of listless curiosity for one sparkling full of surprise and delight; and I was in no small degree astonished to see her clap her hands in glee and wave me a kiss, until after a moment's scrutiny I discovered it to be Floralie Overton! The little witch had grown up into a slender and beautiful girl. I pulled off my cap, and grinning from ear to ear, bowed my thanks and joy: when the other lady, whom I had never seen before, turned a closer look upon me. She moved with queenly grace; and as she tossed back the raven ringlets which flowed over her shoulders, and directed her large intellectual black eyes full upon me, I thought I had never seen so beautiful a being. She turned to Floralie, evidently asking who I was; and it flattered my vanity no little to observe that there was evidently something about me that struck her fancy, or at least attracted her attention. I was vain enough to think it was my handsome features and figure. I believe I have hinted before that I am by no means ill-looking—not reflecting the somewhat *outre* style and bearing that students acquire at Princeton would necessarily attract the notice of any one not accustomed to the sight of that peculiar class of the genus homo, and that it was, doubtless, my long flowing curls, Greek cap, and single-breasted short frock, buttoned up to my chin, my moustache, and, beyond all, a knowing and janty air, which caused her to peep at me with an air of curiosity.

Never had I, on my part, beheld a woman who so fascinated my gaze. The glance of her eye—the expression of her countenance—her air and

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bearing as she stepped like a queen along—the very feather in her hat, and the black curls that rolled down her shoulders behind, seemed to wave with a pride and grace uncommon; and even the style of her *parure* had something about it so peculiar, so original, in such good taste, and so superior to the mannerism of ordinary dressing, that I was struck with admiration and surprise. I imagined an electric cord of unison and harmony to have been formed between us the instant our eyes met, such as I had often dreamed of, but never realized before: our eyes met more than once, for as the coach whirled along by, she was still for sometime in sight, and my eyes *would* gaze at her as long as she was to be seen, and more than once she turned her head, as by the same impulse, to look at me. The joy and emotion which was created in my heart by this new charmer, who had so strangely fascinated me, sent a thrill or tingle as of electricity through my nerves, and my heart seemed to leap with gladness. Something new to worship—Ah! Ernie, I fear me your normal paganism, your instinctive idol-worship—my heart-shrine, which had been a desolated pedestal, with the statue of beauty dethroned, now would again be occupied. My soul exclaimed, Eureka!

Often in some sunny hour, when the divine inspiration of a summer sky and smiling fields and flowers had transfused itself through my very being, until entrancing the clay-mould of mortality, my glad spirit would be but a living harmony of sweet sound, and sight, and feeling—when the soul, untrammelled by the coherent attraction of individuality, as a globule of water rolls itself up on oil, denying communion, that overcome by the wide affinities of all surrounding nature, kindred, sympathetic, attractive, and the soul would blend itself with nature, even to saying, thou and I are one—often, in such moments, have I felt in my very soul the lambent expression of those two eyes—magnetic rays of light—shining down, like the sun, into a deep reflective well, down through my inmost being, from the blue, boundless heaven, from the listless surface of some quiet lake, as I peered into their limitless limpidity; always bringing a sense of the infinite, the beautiful. They reflective, I recipient; I reflective, they recipient,—whether I know not, and what differs it?

She turned away, and that old jingling coach jostled on—my eyes followed her as long as they could, and then I sank, with an involuntary sigh, into a wandering day-dream; but through the mists of vague and infinite reverie, those eyes still thrilled a halcyon halo through my heart, as quivers the lutestring, though the finger-touch that gave it life, hath ceased.

II.

But my reveries were all abruptly jostled to pieces by the halt of the stage-coach at the inn door, and as I jumped out on the pavement, my hand was grasped by my old chum, Bolivar Blount, who was standing in the inn door—with a hearty "halloo, old fellow! welcome back to Haysville—blues all over now, eh?"

"Well, Bol, my boy, how happy I am to take you by the hand again in our glorious little old village. Here we are, in Kentucky, once more, I trust never to leave it again. How is everybody and his family, and what is the news?"

"Everybody is so so, I believe. Colonel Overton has just gone out to Reedyrill, in his buggy, a few minutes ago. Having signally defeated his old rival, Squire Iveson, he is in high spirits, and offers to back Puckshenubbie against all Kentucky—his roan filly Sully having distanced the

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squire's crack horse Coon Tail all hollow, last week, and lightened the latter gentleman's purse to the tune of three thousand dollars, the greater part of which the colonel pocketed.

"By the way, Miss Floralie is in town, and so is Toppy; they are at Dr. Montmery's, and are staying in to a grand confab which is to come off at our old friend's, Mr. Raymond's, to-night."

"Yes, I saw Floralie as I was coming in just now, and with her the most beautiful creature I ever set eyes upon—who the deuce can it be? I never saw her before—black eyes, black curls, *une marche majestueuse*, grace of an angel, pea-green silk bonnet, and white feather."

"Um—must be Maud Raymond—she has black curls and eyes. I don't know about the bonnet, I believe she wears a blue."

"Maud Raymond!—surely not the little gipsy Maud whom I used to flirt and caress when I was visiting Bessie?—Why, she can't be more than thirteen, outside."

"Remember, it has been three years since you left her a little damsel in short frocks and panties, she is now nigher fifteen, and well grown of her age."

"Oh no, this wasn't Maud; I should have recognised her by her resemblance to Bessie, if nothing else."

"I don't know who it can be then, unless—unless it is a Miss Iveson."

"Iveson!—What Iveson?"

"A daughter of Squire Iveson."

"Poh! not a little, pale, plain, proud slip of a lass, with dark, pale features, and black, scintillating eyes, whom I used to think—I saw her sometimes at Black Oak—the personification of icy pride—not *her!*—named, let me see, Laura, or some such name—no, Pauline."

"Laurine. Yes," said Bol, laughing a sort of dry laugh at my perplexity—"the same proud child, now the proud beauty, Laurine Iveson."

"Whew! I am almost as much astonished as Colonel Overton would be under such circumstances."

But greetings, and home-news, and such like gossipings, however interesting it may be to the parties concerned, is, no doubt, dull enough to the reader: the teller of his own story, you know, thinks nothing concerning himself could fail to be as interesting to others as to himself.

So, while we were chatting in my room, as the boy was brushing my clothes, comes a knock at the door, and in rushes Thealan Kerne, Esq., none other, all out of breath, and in a fluster—and the next minute, I clasped my laughing-eyed, sober-faced brother in my arms, and we enjoyed then and there a hearty hug.

"Why, Toppy, how you've grown! You are nearly as tall as I am, and positively not quite as fat as you used to be; they don't call you Chunk now-a-days, do they?"

"Mr. Kerne, I thank you; but, bless my life, it's you that's grown and altered—what long hair! what a funny cap! I saw you on the stage; got just a glimpse as you turned the corner by the Doctor's; didn't know you from the man in the moon. Floralie came running in presently, and said you had come, and I posted off up here after you. Come with me to Dr. Montmery's—Florie and all of them are there waiting for you, and she says, make haste. Bol, come with us, old fellow? Well, we'll see you to-night, then, adieu;" and Chunk fairly pulled me out of the room in his impatience.

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When we got there, I found all joyful faces in the parlor to greet me, and dear little Floralie half crazy with delight.

Of course, there was the usual hubbub and protestations of surprise and delight on all hands. There was the Doctor and his wife, and Ike and Bolivar, and one or two others. And how everybody thought I had grown; and how I thought everybody had grown; and all, even to Doctor Montmery, who replied that he had grown, he was growing—old, and his hair was growing thin and gray; and he might have added, *crescente senex abdomine*, for my worthy friend had a laudable partiality for good cheer.

"And you, Floralie," said I, "how tall and shapely you are; you are quite a woman, I declare, and how beautiful you've grown!"

"Nonsense."

But I saw, from her pouting red lip and half-averted glance and the sparkle in her eye, as she twitched at one of my curls, that she was beginning to like such "nonsense" vastly well.

"But where is Molly and Flower—at school? At home, eh! Suppose I shall find them run up out of my knowledge, and beginning to think about the beaux. And here's Ike Montmery, who used to be going about here tooting a tin trumpet and bowling a hoop, now coming up to my chin. Mrs. Montmery, you are the only person who has not grown amongst us all. I think you've grown younger, if anything, Aunt Anne."

"Ah! flatter the girls, young man; you can't palm it off on me," said she, smiling; "with such a great tall son as Isaac, I can but feel old and look old too."

"I don't see it—but what are you all doing in town? Oh, I forgot; Chunk, I will borrow your horse and ride out to Reedyrill, I must see Flower, and aunt, and all of them."

"Oh! you can't go to-night. Thealan and I are going to a grand *soiree* at Mr. Raymond's to-night. Stay to it, and go out with us in the carriage to-morrow."

"He'll go of course," said Chunk.

"Not bidden—can't—and, besides, I must—" and I thought of Miss Iveson, and that she would, in all probability, be there, and I concluded that I would like to go, and did not finish my sentence.

But in a minute a slave came bowing in with—

"Mr. Ernie Kerne heah? Hab de honor present him wid one small letter—ticket to de party. Massa Kerne, sarvant; master Mars, Rube and ole missus send 'spects to you, happy to see you dis evenin' at dere house."

And the polite messenger bowed himself out, leaving me to learn from the "small letter" that "Mr. and Mrs. R. had just learned of the arrival of Mr. Kerne in town, and would be very happy to have him meet a few old friends and associates to tea this evening." This settled the matter; so I had my trunks brought down to the Doctor's, had donned a dress-coat and white cravat, vest, and gloves, and, having descended to the parlor, was putting on the finishing touch at the pier-glass, as there was nobody in the room, when I heard a devil of a clatter at the door, and a voice exclaiming, "Hold back, you black rascal, you not got to shake hands with him fust." A short scuffle ensued, the door flew open with a bang, and in tumbled my mulatto valet and my dog Hero. Parker had been holding Hero back to take precedence in greeting me, when, just as they entered, Hero, who was behind, made a dart under his legs, upset

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him and made a dash at me, with a loud, joyful whine, splash, with his paws all over my snowy vest; and as he appeared to have just emerged from a mud-puddle, they nor he were none of the cleanest—tumbling me over in the suddenness of his embrace! and there we lay sprawling, all three in the middle of the floor, in the most graceful attitudes imaginable, when Floralie entered, all dressed for the party, and with her—good Lord, pity my mortification! Miss Iveson. What! no—it was nobody but Mrs. Montmery: my fears had blinded me; and they both giggling tremendously at my mishap..

I got up, made my apologies, kicked Parker and the dog out of doors, and went up to my room, replaced my soiled apparel, and set out.

Fresh from more *recherche* evening assemblies in New-York, I expected to find this one rather *fade;* but I was agreeably disappointed. Mr. Raymond had just finished a handsome residence in the *villa* style; his rooms were spacious, and elegantly furnished; the lights brilliant; the supper and refreshments unexceptionable; the ladies handsome and well dressed; the men also dressed, with the exception of a frock coat here and there, or a flashy waistcoat, and all gallant, lively, pleasant, and, withal, affecting a good deal of fashionable style, almost too much for my simple tastes. I saw one or two exquisites, even guilty of the supreme silliness of sporting *lorgnons;* among others, my young friend Ike Montmery.

It was after I had been through the tedious ceremonial of introductions, to persons I never saw before, and welcomes from people I never cared to see again, I got a short respite, and sat down by Floralie, that on looking about the room in quest of the singular owner of that singular pair of black eyes which had produced so singular an effect upon me, that I presently saw her at a distance, Bolivar seated by her side, conversing in his deliberate, dry way, withal full of quiet humor; while Ike Montmery, leaning over her chair, was sharing the pleasure of a chat with her. She was quite animated—looked divine in a lilac lawn and red scarf, and seemed quite at her ease in talking to Bol and Ike, both at the same time, and, no doubt, on totally different themes, for Bol's and Ike's ideas rarely ran together.

I saw her presently incline her statue-chiseled head towards Ike, whisper with her hand before her mouth, glance her black eyes over towards me, and the young jackanape raising his eyeglass full upon me, after a moment's stare, that would have gained him credit at Astor Place, he bent his head in reply. She is talking of me.

"Floralie, who is that lovely woman over yonder?" I thought surely Bol must have been mistaken in the person.

"What lovely woman?"

"Yonder with Bol; the same one that was walking with you this afternoon as I came along in the stage."

"Do you think *her* pretty?" she asked, smiling—"I think, good enough in a party-dress; but by no means handsome. Fine-looking, though, fine looking;—she's a very intelligent girl, in my opinion, but not pretty—too dark and pale, and so cold and haughty."

"*Pretty!*" I exclaimed, in high scorn, "I said not she was *pretty*. But who is she?"

"Her name is Iveson. You seem to be in grand dudgeon because I in-

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sinuated that you thought her pretty. I think her far from being beautiful."

"Pshaw! envy."

"Envy, indeed!" exclaimed Floralie, tossing her pretty head with an air. "For my life I don't see how you can call her beautiful: you are the first one I ever saw who did. But you always had such queer tastes."

"According to the strictest æsthetic rule, I should pronounce her beautiful, Floralie."

"I don't know much about æsthetics, but I know she's too pale and cold to suit my taste."

"Well, she hasn't the ruddiness of a kitchen maid; but she is passing fair. There is a magic spell which her spirit possesses that makes her lovely—oh! yes, lovely; and I behold her with a joy like that of the peri, when the pearly gates of paradise were opened to his entering."

Floralie gazed at me for a moment, with a blending of vexation and amusement in her merry, blue eyes, and then burst into a laugh.

"Smitten!" she exclaimed, "a clear case; shot by Venus's wayward boy. And let me tell you," she added, in a half-serious undertone, "you have made a good choice, *mon cousin*, beauty apart, for she is a sensible girl, and rich as cream."

I bit my lip impatiently.

"Floralie, I do not deserve that reproach."

"I believe you take it in earnest," said she, laughingly. "It is a clear case of love at first sight."

"Hark ye, Floralie, coz; you know I don't believe in love at first sight; I don't intend to love her. As for her riches," said I, ironically, "they certainly are a great temptation—a great inducement why I should love her: you know I have been ever wont to 'crook to the pregnant hinges of the knee where thrift might follow fawning.' However, think you that one cannot bow at the shrine of an avatar of heavenly beauty, without any of that baseborn sentiment the herd call love? Tell me, has she a soul?"

"Ha! ha! ha! cousin dear, I vow you are excellent company. A soul! Why, Ernie, you surely have not turned Mahometan, at the good old Calvinistic college of Nassau? The baseborn sentiment which *we* of the herd call love! Upon my word, Don High Fantastical, you open rich this evening. I declare you are vastly entertaining. I wish the divine Laurine were over here, that you might spout some of your transcendental sentiment to her. You don't condescend to be susceptible of the grovelling emotion of love, I suppose?"

"Yes: I could love a Dudu, a sort of sleepy Venus, languishing and gentle, such as would not excite my mind into intellectual exertion; or a blue-eyed nymph with golden hair. I believe I could love such an one with a true and pure devotion; but black-eyed brunettes, while they electrify me, and set my soul on fire, do not affect me with that tender, winning, life-long, self-sacrificing, lackadaisical sentiment, hight love."

When I spoke of blue eyes and golden hair, Floralie blushed, I hardly knew why, unless from the consciousness that she possessed hair that sparkled like the sands of California, and eyes of deeper blue than the blue-bird's wing that sings beneath her window.

"But Laurine Iveson—such as I have seen her—such as I have depicted her to my fancy, is not to be loved. Is not to be loved, d'ye see, Flo-

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ralie; I could love an houri, but one must worship such a being as Laurine. I will not call her an angel, that's too trite; besides, it's not a good comparison. She is rather like a—a—in short, incomparable, eh?'

"Thank you; yes, a goddess, perhaps, might do for want of a better and more original. But don't you see how my admiration is altogether superior to the common idea of love?"

"Soul of Psyche! 'Pon honor, I don't. I am not a transcendentalist, as I should take you to be, and know nothing about your hyper-ethereal in-world sentimentality—dear! that collocation came near choking me."

"I must confess that all my emotions are love, friendship and hate—not having the advantages of an early education, uncontaminated by the prejudices of civilization, I was always taught that idol worship was sinful and heathenish.

> "It cannot be friendship, it cannot be love,
> But I know the soft feeling descends from above;
> Say, is there no name for a passion like this?"

"Simply, Ernie, I do believe it is all nonsense you are talking. The fancyings of young enthusiasts such as Ernie Kerne, fresh from the misty metaphysics of old Nassau, have dressed up an ideal image of your fancy, gilding it with the sunny hues of your genius. Look at the matter rationally, and like common folks do, and I fancy you will find nothing but love at first sight. But goodness! I have been talking for the last half hour without giving you a word; you'll pardon me, however, as you know it is the privilege of the sex."

I looked at Floralie in surprise, as I had found myself doing more than once before. Is this the little run-wild creature I left sailing toy boats on a brook with Toppy, and up to any kind of mischief—a mere frolicsome child? Here she sits by me descanting on philosophy—the philosophy of love, it is true, which comes to woman in one shape or other, intuitively—she talk about my being a metaphysical enthusiast, a young misty day-dreamer, and reads me a lecture about common-sense, with all the assurance of a spectacled grandam!

She seemed partly to understand my thoughts—perhaps my eyes told the matter, for she added after a pause, with a blushing smile: "I know you've been quizzing your poor little rustic cousin all this time, Ernie, dear, but you came against me unfairly with your array of asthetics and metaphysics, which I, of course, know nothing about. You men of genius must bear with the unfashioned prattle of such a little chatter-box as myself."

"Genius! Ahem! coz—thank you. I appreciated the delicacy of your sarcasm."

"You perverse creature, sarcasm indeed—just like you metaphysicians, pretending to see double underlined meanings where none are intended."

"Well, tell me—I remember a little pale, sickly, sallow slip of a lass (Laurine,) at Black Oak; Bolivar tells me this is the same. Can it be? What has caused all this fairy beauty—what witchwork, to spring up like Aladdin's palace in a night?"

"It is a sort of mushroom growth, I know—why or what I do not know."

"Tell me all you know about her."

"This avatar of intellectual beauty? She is an heiress in her own right

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of her maternal mother's vast estate. Her father is also wealthy. Surely you know old Squire Iveson, a gambling, aristocratic, horseracing, gouty old Virginian, our near neighbor at Black Oak?"

"Oh! yes, I know all the Ivesons, all but this one—the old Squire and young Iredel—why he was my schoolmate: all but this flower of all the Ivesons. Where has she been hiding all her life?"

"Why here, always; that is, out at Squire Iveson's plantation, a little country school-girl; came to town last winter, for the first time; this is her second *season*, as the fashionables would say. I don't wonder you never heard of her. She never attracted attention till last winter. Her wealth and eccentricities have brought her in vogue this winter somewhat, but she is so proud and chilling in her manners towards young men in general, that they are afraid to pay her attentions."

"She seems to be getting on very well with Ike and Bolivar, or rather they with her."

"She treats *some* folks civilly, and others she don't. She's very friendly with me, and thinks very highly of me; that is, I have every reason to believe so. Ike she likes, she says, because his family is one of the few pure patrician in America. I don't know why she fancies Bol, unless it is because he is always laughing at her high ways, and says what he pleases to her. Then he and Isaac are the companions and acquaintances of her childhood, and that makes a difference, you know. She is a girl of good mind, beyond *ordinaire*—I should say even talented. But, lordy, she is so proud, so distant; it gives me a chill sometimes when I see her speak to any one she don't like; freezes them to death, I tell you. Though I like her very well, I think her golden charms are decidedly her greatest"——

"You wretch!"

"And so I believe does she; that is one reason she is so forbidding in her manners. She thinks that every young man who pays her any attention, is courting her for her money; nay, that even the commonest civilities are actuated, at least in a certain class of people, by the adulation with which people bow to money. It really seems to me that I should hate to be an heiress, if it goes to render one suspicious of all one's friends and acquaintances.

"By the way, though, I must tell you, since you are so much taken, that she paid you a higher compliment than I ever heard her pay to any one before. When we saw you on the stage box, she asked (and she rarely does even that) who you were. I told her it was my honorable cousin, Mr. Ernie Kerne, of Reedyrill, graduate of Princeton, &c., gent. Whereupon, she congratulated me upon my cousinship, and declared that you were the handsomest man she had ever seen."

"Dear Florie, I could kiss you!"

"Hands off, Mr. Impudence. So this is your platonic worship, eh? It has all the symptons of the grovelling passion of love, to me."

"No, I don't love her, I tell you. But the singular description you have given, has excited my interest to the highest degree."

"Come, let me introduce you ——"

"No, thank you, not now. I don't want her to put on any of her freezing airs to me."

"To you?—No danger."

"Besides, I never like to be introduced to a person who has pleased me,

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so soon; it dispels the charm very often; and I like always to reconnoitre at a distance awhile."

"But, come, you have been talking to me long enough—too long. You must play the gallant to-night, and make yourself agreeable. Yonder is the fair little Anne Macounn, I see, dying to be introduced to you, from the way she steals furtive glances at your brown curls, that rival her own. Make yourself useful as well as ornamental; go and entertain the ladies, and not be sitting in the corner here with me. Yonder is Tony Raymond, my beau, jealous of you as he can be." I laughed, and crossed the room with her.

"Miss Ann Macoun, let me introduce to you Mr. Kerne."

I bowed low to a sweet little hazel-eyed girl with long auburn curls, and we were soon in high feather a-flirting.

After supper we stood up to dance—cotillions, and contra dances, and waltzes, and polkas, were then fashionable. I danced with nearly every body in the house, except Miss Iveson, who only stood up two sets, and then only walked through them very stiffly. Floralie was by far the best dancer in the room.

III.

Jam distinguit autumnus racemos,
Varius purpureo colore.

Hor.

It is autumn. Don't you like autumn? I do, better than all the seasons;—better than spring, with its winds, showers and catarrhs; better than summer, with its sweat and dust, and sultry sky; better than winter, with its sloppy thaws and frozen fingers.

Give me autumn, and its mild skies, gorgeous sunsets, and vari-hued forests.

Season of mists and mellow fruitage! Its praises have been rung on every lip that loveth beauty. Hackneyed it never can be, for it is ever fresh, changing and lovely—in every change its magic dyes tinge the mind with ever-renewing freshness. I am always glad when autumn comes; always sorry when the icicle fingers of old winter efface the golden fairy-weft webwork of indefinable fancies, which then weave themselves through the soul. 'Tis then that the whole being is full of a serene joy, a calm and exalted happiness, unalloyed with the base things of life. To me nothing is more exquisitely delicious than these dreamy autumnal reveries and sensations; partaking of the hue of the hazy autumnal horizon, its dim dreamy infinitudes, partaking of the nature of the many-tinted forest trees, of the sad sighing of the crispy brown leaves rustling through the branches, shooting hither and thither fitfully in the cool autumn breeze.

How calm is the autumn landscape! See the winding road carpeted with the unsoiled fallen leaves—crossing the reedy brook, whose banks are green beyond their time—entering the mottle-boughed forest, where the ring of the sportman's rifle is heard, bursting on the still air—skirting yon frost-bronzed meadow, with the rotund hayricks by the old barn—sheep nipping the scant herbage—blue smoke from cottage chimney—such beauty charms the eye. And would'st have music? List to the cow-bell's

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quiet tinkle! List to the lonely blue-bird, in the sombre autumn evening, perched on moss-mantled bough of ancient apple-tree, singing its lonely, low, sad wailing melody—a last lingering ray of the setting sun, gleaming on its fairy-tinted boddice of purple and blue! Hear the plaintive wild song of distant slave,* homeward coming from labor! Hark to the hum of the night-hawk, skimming over the deep, still water of the brook, now shadowed and sheened by evening's hues, with the fallen leaves dancing life-like on its stilly bosom, where are reflected the slender wand reeds, the overhanging vine, the wide-branched beech, the hill-side and the blue sky, and the sun-lit cloud!

You gaze on the far-away dim defined horizon, and distance lending enchantment, dream of the vast world stretching beyond it: forest and field, and river, mountain and plain, and village, quiet cottage, smoky city, whose busy hum, mellowed by distance, seems almost to be drumming in your ear. Then you think of the dark wood, denizened with owl and eagle, and prowling wolf—of watery marsh with croaking frogs and talking herons—of the wide grassy prairie, with its buffalo herds, and some lone savage hunter, galloping across with his long spear and waving plume.

More music? The distant cock-crow and baying watch-dog, drumming pheasant and lowing cow!—such sounds as these are most sweet music to the ear attuned to nature's melody. 'Tis then you love to look at smiling faces, and list to merry laughter, but would not for the world that human harshness should intrude on the gossamer fancies that the mind is weaving.

Surely there are autumns in heaven! for it is peculiarly the season of intellectual bliss. But no, there are no autumns there—the perennial spring joys of Beulah are never decayed by the destroying touch of time. And fall, with all its beauty, has with it—constitutes, perhaps, half its charm—the idea of evanescence, of decay: at best, the hectic glow of consumption.

Can it not be that there is a fruition of intellectual vitality, a periodic culmination, once a year, as well as of organic life? A harvest of the soul as well as of nature? The sensitive organism is certainly then at an acme—refined, too—refined and exalted, so that the sensuous and intellectual blend themselves into a harmony of joy.

It was such an evening as this, the next after the *soires* at Mr. Raymond's, that Floralie, Chunk, and myself, in an open phæton, drove along through such scenes as these to our dear old home at Reedyrill.

Floralie was humming—

> "Many the changes since last we met,
> Blushes have brightened, tears have been wept."

"Say rather, Florie—

> Joys that we've tasted again may return."

Yonder is Little River's placid stream. Ah! many happy hours have I spent along its shady banks. How natural and like old times it looks! Toppy, do you remember the times Bol and you and I used to have hunting ducks and squirrels along its banks?"

* The southern slaves have peculiarly rich mellow voices, and nothing is sweeter than their wild, untaught evening song, heard in the distance.

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"Yes, and how we used to bathe at the 'Bluff' in summer—"

"And skate on the old mill-pond in winter."

"What famous rabbit hunts we had with old Watch—

The joys that we've tasted again may return,"

sang Thealan in a glee, rubbing his hands—"The pigeons are beginning to come in, Ernie; the 'roost' will soon be full: there is a fine nest this year, and I expect oceans of pigeons will visit the roost this fall: we must go down and take a roost spree before long."

Thealan's beau ideal of happiness was a dog, and gun, and horse.

"Floralie, what a lovely fall we are having!"

"Yes, we always have delightful ones in Kentucky—it is real Indian summer."

"Delightful is autumn! Did you ever experience these dreamy sensations so peculiar to it? If unkind providence had not doomed me to a *mute* love of the beautiful, I would borrow a quiver of winged words from the spirit of nature, and shoot them into your soul, and you should feel the joys of autumnal dreamings."

"I'd much rather be shooting partridges," quoth Toppy, "it's such splendid weather for it. I hear them whistling all over the fields. See, Florie, that one on the fence-rail!"

"But words *alone* cannot compass it—not fault of power to express my precise meaning; though Emerson sayeth it—it is because there is a small hiatus between symbolism—representative painting, I mean, and actuality, a void which can never be filled;—it is the mathematical *difference* between show and substance, the *remainder* which no symbolism can cancel. I defy Shakspeare, master supreme of those magic symbol words, to unfold the beauties of the inner land to a brainless booby"—

"No insinuations, Mr. Ernie."

"None, my dear Toppy. But the spirit must bear witness. But *you* understand and enjoy these autumn feelings, I know you do, in their intensity. Thou, Fairy Queen of the dream-land of my soul—thou, whom I have enshrined as the apotheosis of my intellectual idolatry, unacquainted with a constituent of thy kingdom—one constellation in the fancy-gemmed firmament of the ideal!—it would be derogating from thy potency."

"Whom are you talking to, oh! most lucid Kantian, me or Toppy?"

"Neither, I believe."

"I know, Laurine Iveson. Still harping on my daughter."

"Whose daughter?" asked Thealan, who had been pre-occupied with a flock of wild pigeons that were skirting the horizon, and calculating on glorious fun to come—pigeon shooting at the "Roost."

"The parson's," said Floralie, with a sly smile; "the fair Anne. Upon my word, Ernie, I think you are a little cracked this evening."

"A little more so than usual, you mean," said Toppy.

"Florie dear, bear with the vagaries of your poor cousin, and don't think he is stark mad, since the reign of Sirius is past. I have roamed about for so many years among these 'barrens,' debarred from all the civilizing influences of society—communing with none but nature and myself, that I wander about in dream-land—sit by its willow-shaded waters, 'neath its pensive, star-studded, evening sky, and sigh for the infinity of truth, like a child longing for wings to waft its young spirit through the boundless blue sky, until I have lost sight of the narrow necessities of life."

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"In other words, forsaken common-sense practicalities for foolish, futile fancyings," observed Toppy. "I would'nt give one good possum hunt for all the day-dreams you ever concocted. I wish you would quit them, for they only make a man discontented and unfit for any usefulness in life."

"Well said, Master Chunk! but don't call me a transcendentalist. I neither aspire to nor covet the name; my philosophy is simply and purely the love of the Beautiful."

"Stale, stale as a dried herring,—that has been the standing theme of young collegians' theses for the last half-century."

"I know that the periphrase is stale, my dear brother. I am as sorry as any that it has become so; but the thing itself can never become so."

"A fico for the phrase; I meant, as you say, the thing itself."

"Tell me, Ernie, what *is* Transcendentalism," asked Floralie.

"I don't pretend to know, but I don't know that I could give you a better idea of my notion of it than the definition of my college friend, Gillespie, a supersensuous insight into the penetralia of essences."

"And that is about as intelligible as the cackling of the geese on the walls of old Rome," said Toppy. "I like Bol Blount's definition better: he says it is nothing but a Thaumaturgical Humbug!"

"And how intelligible is that pray?" cried Floralie.

"Let us eschew metaphysics," said I.

"And I say so too," exclaimed Toppy, "for we know nothing about it; beg pardon, Ernie, I mean Flo' and myself."

"Speak for yourself, sir," said Floralie; "I am studying Berkley, I'd have you to know. I've learned enough already to know that there is no such thing as anything; that everything is nothing, and nothing everything, and no reality except the omnipotent ME!"

"That last theory is cherished by a great many more than might be imagined," observed Toppy.

"And yonder are the chimneys and gables of old dear, dear Reedyrill," cried I, in ecstasy.

The road from Haysville approaches Reedyrill from the east; as we drew nigh the sun was sinking behind the farmstead, and the glorious sunset seemed, with its brilliantly-hued back-ground of painted clouds, to environ the dear old home with a halo of beauty altogether indescribable. The dark, high-peaked roof, the stacks of chimneys, the quaint old latticed dormer windows in the roof, the tall Lombardy poplars, stood out in soft, scenic relief from that gilded sunset sky. There were long lines of clouds, of a warm umber-red, varying in tint from deep to pale, and others dimpled and grained of such shades as you have seen some variegated flowers, and assuming somewhat the form of golden sands when a rippling brook has washed over them; the rich blue sky, shot with gold, between and through all, the pencilled sunrays beaming up, as is seen in sunset pictures, but rarely in reality; and the silvery sparkling sheen on the dark brook, the deep shadow under the old bridge, the low square turret of the chapel peeping up through the evergreens surrounding it, and the diamond panes of its narrow Gothic window, with the red glare of sunset reflected on them, all reminded me of one of those quaint, warm-colored pictures on the odd, old-fashioned china I used to see, standing in grim array, on the beaufort in the "Old Parlor."

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"How beautiful!" cried Floralie, after a moment's pause, during which we had been in silent admiration of the scene; the Big Gate was opened by a little, chuckle-headed slave, who grinned with delight as I tossed him a piece of silver, and the carriage rolled through the old 'woodland' in russet clad; and even before we drew up at the yard gate, we are discovered, and down comes Aunt Eliza in her white cap and black gown, skipping with almost youthful celerity along the gravel walk.

And there is Flower and Molly, skipping about and clapping their hands in crazy joy. But a sad thought steals o'er my mind, when I think that one who was wont to welcome me was now departed hence into the cold grave.

IV.

I saw her dance so comely,
Carol and sing so swetely,
Laugh and play so womanly,
And looke so debonairly,
So goodly speke and so friendly,
That certes I trow that evermore
N'as sene so blissful a tresore.—CHAUCER.

That evening, seated around the old family hearthstone, Aunt Eliza, Floralie, Toppy, Molly and myself—Hero on the hearthrug, Parker behind my chair, and old Aunt Rachel in the corner: how we chatted about old times; how we talked about old friends and old scenes; how I inquired about everybody in Haysville, the most trivial minutiæ being full of interest to me. This one married; that one dead, alas! One grown up into a beautiful lady or an ugly—my old sweethearts. Of my schoolfellows, lads of seventeen and eighteen, three years had made all the difference in the world—one a dissipated profligate, another studying for the ministry. Here was one family getting rich unaccountably, another broke, a third moved away. I could not imagine how three short years could have wrought such alterations. Well might Floralie sing, "Many the changes."

"And, Ernie, your old flame Bessie Raymond jilted you, and married Mick Lumpkin.—Phoebus what a name!" said Aunt Eliza, with a merry twinkle of her half-shut, gray eyes.

"Yes, the beautiful Bessie, I must confess, flirted me most abominably."

"You'll have to take Maud now, she's a great deal prettier than Bessie ever was."

"I've a great mind to flirt her to revenge myself on the cruelty of her sister," said I, laughing.

"That would be unjust and ungenerous to make the innocent suffer for the guilty," said Floralie.

To a late hour we prolonged our cheerful chat, and happy of heart did I rest my head that night on the same bed, in the same little bedroom that my boyish limbs had pressed many years ago. Sweet angels hovered around my dreams that night. The next morning I arose refreshed, and full of the vigorous buoyancy which health and happiness imparts; lit a cigar, and sauntered into the garden for a stroll among the flowers, as was my habit in other days. What merry lark is that caroling so blithely a peaned orison to the morning sun?—no, it's Floralie; the earliest hour

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she devotes to the balsamic morning zephyrs, and they have rouged her cheeks with rose-petal tints, such as art can only envy. Stooping down to uncover the straw from some tender roses, she did not observe my approach, but with her white, taper fingers busy at work, she was humming—

> "Thy name was once the magic spell
> By which my heart was bound;"

that exquisite melody of Mrs. Norton. Floralie is always warbling a stray verse of some odd, sweet song, which her peri-like voice thrills into a man's heart of hearts.

She had my Greek cap of blue velvet, which she had picked up in the hall, stuck with a janty coquetry on one side of her beautiful head, and the heavy bullion tassel of gold falling with her sunny shower of curls on her snow-white neck: that statue-moulded neck peeped out from a blue cloth "josey," which closely fitting, showed every outline of her graceful figure. I thought I never had seen any one so handsome. How much she had improved! I stood gazing at her in admiration for some moments before I could speak.

"I envy those flowers, fair cousin," said I, at length, drawing nearer.

"Why so?" said she, starting a little with surprise at my unexpected presence, as she looked up, with an involuntary blush suffusing her smiling cheeks.

"I envy them your morning song and gentle attentions."

"You need not that, Cousin Ernie, you know that Floralie's affection for you—friendship for you—is greater than that; and as for the song, it is always at your service. The 'secret ministry of frost' is nipping my roses now, so that they require a friendly shelter, and I like to give it myself; it is a way I have of being charitable. I can't build churches and donate large sums to so-called benevolent societies, so I even content myself with bestowing alms on my flowers."

"And a most beautiful charity it is, will you not permit that I may share in it?"

"Most willingly, but I am about through this morning."

"Suppose, then, that I suggest a gallop over the lawn, what say you?"

"An excellent suggestion. I am a pretty fair equestrian, I think. I have not forgotten the lessons you used to give me in riding, and a ride with you this morning would bring back to my mind the delightful times we used to have, when I rode Nubbin by your side."

"Apropos of Nubbin, liveth he yet, and is the old fellow well?"

"He is alive and kicking, as usual, as Pack may testify by a blow on his shins he received yesterday in trying to catch him for aunt Eliza. But I don't patronize Nubbin now; uncle presented me with a beautiful white palfrey the other day, graceful as an antelope and as swift; I call him Victor."

"Well," said I, whistling for Munro, "we'll try Victor's speed this morning; try his mettle with my Arabian, Djalma."

"What famous rides we used to have, Ernie! now that you've come back, I hope we'll have many more together," said she, her handsome face beaming with pleasure.

Floralie Overton was a blonde, but entirely destitute of that expressionless, lackadaisical cast of features common to most blondes. Her blue eyes, rich, deep, with a shade of hazel in them—not melancholy—not phlegmatic,

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but beaming with love and joy—sparkling with frolic fancy, yet, when she was sad, they softened tenderly into an expression of sadness such as blue eyes only can express. Her hair was a sunny chesnut brown, shot with gold where the light fell on it, and flowed in thick silken curls over her alabaster neck; her nose was purest Parian cut, forehead not too high, profile rather with the graceful liveliness and romance of outline of the Saxon, than the cold, classic symmetry of what is commonly called the Grecian, just enough of the former to give an arch expression to her sparkling eyes and berry-bright lips; which lips—ruby ripe and delicate of texture as two pomegranate seeds—but who can find a fitting simile for a woman's lips when they are pretty? Her cheeks were of a velvety and peachy texture, rounded and rosy; her smile divine; her form like a houri, moulded in the most voluptuous and artistic ideal of beauty. In fine, she was a beautiful girl, now nearly seventeen years old.

But you should have seen her on horseback, as she appeared that morning, and you would surely have declared her a splendid creature. She wore a long straw-colored riding skirt, and her sky-blue "josey," which fitted perfectly her rounded bust, waist and arms, which it showed to great advantage, was fastened up around her slender neck, where it was lined with a narrow edging of white lace, by a small turquoise brooch. She had exchanged my cap for a coquettish little gipsy straw-hat, looped up at one side, *au cavalier*, with a long flowing white feather, and tied under her chin with a cherry-colored ribband.

She sat her horse with all the ease and grace imaginable: and to see her thus, galloping with light, skilful rein, her silken hair and snowy plume waving gracefully to the undulating motion of her prancing barb, you would have pronounced her divine.

But I loved—or worshipped then—the dark-eyed Laurine; proud and cold, and not this sweet, laughing-lipped heart-thief, full of gentleness, humility and modesty, and withal frank, open-hearted and impulsive, and her impulses were as pure and beautiful as her own fair self. Little, warm-hearted, sunny-eyed Floralie! I do believe that thou wast the purest, loveliest being ever budded forth by God under the blue heaven. I galloped along by her side over the smooth turf of Reedyrill wood-lawn, yet green amid the harlequin hues of Fall, full of admiration, almost love, now I think of it, but then never dreaming or thinking of her but as a dear, beautiful sister; thus, I loved her tenderly.

But I felt unwilling to compare, much less contrast her with Laurine. I felt it was not doing Laurine justice, and yet, notwithstanding my exaggerated deification of her, I could not be in the presence of Floralie without feeling how much inferior, in many respects, she must be to my cousin. But I had not conversed with her yet, and I deemed that the stores of her imagination would be found rich as the gemmed caverns of India—those eyes, too, those dark portals of the soul, black, and yet bright with the rays that came through from within, like the still midnight ocean with the starlight beaming on it: when those magic eyes were bent on me, I was spell-bound.

Floralie was a balmy spring morning, waking on a garden of roses; Laurine a summer night, spangled with the pale moon's sheen on valley and mountain.

We had a delightful ride that smiling morning, Floralie and myself, revisiting old scenes, and recalling old memories: the "old field" scene of

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much glorious rabbit and partridge shooting, and more glorious reveries in past days; the Big Spring, the Stone Hut that we built in imitation of that of the "Black Dwarf," and many other places associated with the joyful hours we had spent together in our happy childhood. The charmed happiness we experienced, the emotions which filled our breasts in going over these memory-sanctified scenes, were such as are not easily described—in fact, are not to be described at all, except by a faint approximation. What interest would a stranger see in an old decaying tree, with a grape-vine swing attached to one of its horizontal limbs; in a mossy mound by the stream-side, with a child's rude play-house a-top of it; a hazel dell; a glade covered with prairie grass, now dry and yellow from the frost, and tangled into many a sunny covert for brown-eyed hares; a copse, where the red sumach, the fragrant sassafras, and scarlet-berried haw, afford small airy perches for pewees and churees, wrens, and wee birdlings of that ilk, to hang and climb, and hop about in quest of insects? Here an old ragged trunk of a dead tree, with one or two gnarled and contorted limbs, on one of which is, perhaps, some red-headed woodpecker drumming against it with his small vibratory bill, as if he had a spring in his neck; there a majestic Spanish oak, its tall dark trunk branching out, and re-ramifying into infinitely manifold minutiæ of twigs, and among them some spotted yellow-hammer, (flickers we call them,) Mahometan-like, with a crescent on his breast—and a queer bird is he; over yonder, a plank-built tobacco barn, which, with its four-cornered, hip-roofed shed, reminds you of a revolutionary cocked hat more than anything else; yonder, again, a fresh clearing in the hazel thickets, and the warm, rich bosom of old mother earth laid bare, and piles of crackling brushwood therefrom casting up fragrant incense of blue smoke to heaven. Nothing in all this quiet scenery to attract a stranger's eye, perhaps, but full of interest and associative beauty to us—tokens as they were of fled joys now returned; he might pause to admire the massy stone bridge, with the old scraggy cedar overhanging it, that spanned the reed-bordered brook; the little Gothic chapel, with its gray, ivy-clad tower and roof; the grave of the Indian chief, with its rude entablature—for these had an intrinsic beauty to the admirer of nature; but to him, these, as other simple objects, would have their anaglyphic significancy unrevealed—no hidden language would they speak to the stranger.

But, meantime, Floralie and I have crossed the bridge, out at the gate, and now cantering down the lane towards Puckshenubbie. As we approached that honored edifice, I saw a little negro at work in the garden, near the fence which skirted the lane, and out of sheer mischievous buoyancy of feeling I spurred my horse at the railing, cleared it at a bound, and made at the little rascal, who skeltered off, head over heels, in high affright, screaming at the top of his voice—I galloping after him across a nursery of young pear scions. I heard a merry laugh behind me, and looking back, I saw Floralie flying over the fence, full of glee, and in a moment she was at my side. The squalls of the little negro brought Colonel Overton into the verandah, which opened on the garden; he did not recognize me on the nonce, but he did Floralie, and shouted—

"Hallo! you young scapegraces, what the deuce do you mean riding over my nurseries after this fashion? I'll prosecute you both for trespass."

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"We are not destroying your pears, old gentleman, only bringing you a *pair* the more."

"And a precious pair it is!"

"Well, never mind, we'll re*pair* all damages."

"Why—thunder and mud! Who the—why, I'll be hanged if it is not Ernie! You incorrigible young scoundrel, after three years absence, to come breaking in upon a fellow in this way—dem you, how are ye, my boy? I am glad to see you. Well, I'll declare—but I vow, I was never as much astonished in my life. By Diana, I did'nt know you from a side of soleleather. Where did you come from, eh? I saw you riding up the lane with that naughty young vixen there," he continued shaking his finger at Floralie, "and I could not imagine for the life of me who you could be; and says I to Joe here, Joe, who the devil is that outlandish-looking, long-haired chap with Floralie, and Joe did'nt know either; when lo! and behold! you come bouncing into my young fruit trees—just like you—you have the most mistaken ideas of fun of anybody I ever saw,—there you were riding over my scions and young niggers—both scions of my house, I might say"—

"And the only scions you seem likely to be blessed with, eh, Colonel? Oh! degenerate scion of a noble house!"

"Why you did it, I can't imagine, unless for the purpose of perpetrating those abominable puns."

"No, Colonel, the puns as well as the leap were *sur le champ*."

"I hope so," said he drily; "and now, methinks, I smell another with your French jargon, which always reminds me of the time when you were a little Pawnee rapscallion. I should say you and your puns were rather both *sur les poivres*."

"Outrageous!" exclaimed Floralie, laughing; "Uncle, you are worse than Ernie."

"Well, well," pursued he, somewhat disconcerted, "come into the house and get your breakfast—we were just sitting down. I suppose your ride has not spoiled your appetite for a venison steak."

"No, I dont find my appetite at all *impaired*, whatever your scions may be," said I, jumping down, and assisting Floralie to alight.

"No more of that, for God's sake, if you hope for pardon. Here, Joe, take these horses to the stable. Come, come, the coffee and toast will be getting cold."

After the usual hugging and kissing with aunt Lenora, we sat down to breakfast.

"When did you get back, Ernie?" asked the Colonel, "and why did you not let me know, villain, that you were here?"

"I only got to Haysville day before yesterday, and"—

"Day before yesterday! Why, you infernal rascal—if Florie was not here, I'd abuse you. Here you've been in the country two whole days, without coming near me. I have a great mind—but no matter."

"My dear sir, let me tell you how it was: When I got to town I found Floralie and Thealan there, and though I was very anxious to come out, nothing would do them, but I must stay to a grand fandango at Mr. Raymond's that night; and yesterday so many friends were calling to see me, that I could'nt get out to Reedyrill till late, and even then I wanted to come over here last night, but aunt Eliza would'nt let me."

"She, indeed! I have as much right to see you, as she, I reckon. If I

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aint akin to you, I picked you up in the woods and made a white man of you."

"And even then," interposed Floralie, "he proposed to send Parker over here after you, but he said you had gone over to Black Oak to swap horses." "Did he! a dirty scrub. I'll beat him the next time I see him. Sure I remember now, I *did* go over to Black Oak to trade Iveson out of a filly of his—Ern, a dark gray cob of the Sir Archie stock, may be you remember the colt?"

"No, I don't."

"No? It was born just two days before you went to college. Well, it is one of the trimmest things you ever saw, paces like a cradle rocking. I gave Kit for her—you remember Kit? well, *she's a leetle* spavined, and I wanted to get rid of her—it was Iveson's trade, so I candidly told him I thought so, but you know he is a better judge of a horse than I am? The Colonel did not begin to think so, though I said gravely—"

"To be sure he is."

"The devil! What do you know about it? He's no such thing—he thinks so, though. I'll bet ten eagles that if both horses were put up at auction, the gray would bring twenty dollars more than the other, and I got that to boot. Kit is a deuced showy thing, and carries a high tail, and that is what took Iveson in; she's very mettlesome and ambitious, but, Lord! no bottom at all—not a bit—and then spavined, I tell you, the worst kind." And the Colonel, with a turfsman's relish of such things, rubbed his hands in great glee at having cheated his neighbour. It is needless to say, however, that the Colonel would have considered it highly culpable "to take in" any body but a knowing trader as Iveson professed to be. "Chunk says," continued he, "that I've made a splendid bargain; and he knows a thing or two about horseflesh himself."

"A three-year-old, did you say? I would hardly give twenty dollars for a little scrub colt, let alone a blooded thing like Kit," said, I mischievously.

"Blooded, the devil! I know her blood—and the gray; dem it, I tell you she was sired by a Sir Archie, and her dam was the full-blooded Woodpecker."

"The deuce she was?"

"For mercy's sake, Uncle Sebastian," said Floralie, "postpone your jockey talk till you carry Ernie to the stable to look at your bargain, and meantime tell us how is Miss Laurine Iveson, for I know Ernie had rather hear you talk about her."

"What! Laurine Iveson! Thunder and flints, he's not smitten with *her?*" asked the Colonel, staring at me with his usual astonishment. "Laurine got home from town yesterday, but I paid no attention to her—dem it, she's as cold as a charity sermon, and as proud as a poor man. I must say you are the constumedest fool extant to fall in love with such an iceberg. I thought Bessie Raymond had cured you of such folly as that. Clever enough girl though, notwithstanding, of good family too."

"Oh! I forgot, he doesn't love her," said Floralie, maliciously, "only worships her as a sort of incarnation of the goddess of beauty."

"Florie!" I exclaimed reproachfully, but Florie would have her fun.

"He never saw her but once across a room and once for an instant when she was whirling by in the stagecoach—so you may know how quick a perception he has, to enshrine her as the idol of his worship."

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"Love at first sight, eh? Well, Ernie, she'll be a very good match. The Black Oak covers a thousand as rich acres as any in Christian County, and, at least, a hundred kinkey heads thereon, to all of which she falls heir, for her half brother Iredel, has his own estate in Mexico, and this is settled on her by marriage contract, I believe. But, goodness—what can you see to admire in that cold, haughty creature?—she'd give you the fever and ague."

"Uncle, Floralie is merely quizzing you. But come, let's go and look at the gray—if she's better than Kit, I want to have a peep at her. Flo,' wait for me a few minutes. Joe, you may bring out our horses."

"The cleanest bit of a thing you ever saw," said the Colonel, as we put on our hats. By the way, I didn't tell you how I beat Iveson's Coon Tail all to smash with my little roan Lully D—, did I?"

I, of course, had too much tact to acknowledge that I had ever heard anything about it, and consequently, was entertained with a detailed account of the whole matter.

The Colonel was decidedly more at home in the stable than in the hall —besides Lully D., he had a great many other favorites to show me, and then I must go and take a look at his dog-kennel. Tulip, he informed me, was grown to be a splendid deer dog; Bell, I was sorry to learn, had been killed for running sheep, and then I had to hear the histories, traits and qualities of a dozen more; and next I was shown two noble fellows, three-quarter blood-hounds, with a quarter cross of bull-dog, which were his "negro dogs," for trailing and catching runaway slaves. Next, I must look at some patent ploughs, a new fashioned sheep-house, and an enormous tobacco barn, the largest by three feet seven inches and a half in the clear, of any in the county; then I must look at his tobacco crop, in two or three other "cocked hat" barns, half a mile off, and from one thing to another, until my "few minutes" had elongated into three hours, at least.

"But, Colonel, I must go," said I, as he wanted to drag me off at least a mile further, through a cornfield, to look at a clearing, or new ground, which was going to bring him fifteen hundred pounds of tobacco to the acre. "Flo. is waiting for me, and will become impatient."

"But, Ernie, it's the prettiest piece of tobacco ground you ever saw,— level as a floor—and in quality is just such another piece as that meadow tract on the brook at Reedyrill."

"I'll look at it another time, my dear Colonel—I must go now."

"Why, what a miserable taste you have, to prefer chatting to a little giddy-pated girl, to looking at the finest piece of land in Southern Kentucky."

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VARIETIES OF THE HUMAN RACE.

[We sometime since had under review a work upon the variety of the race, and discussed several points in connection with it.

We come, now, to the matter before deferred, viz., the examination of the relation between the various climates of the earth, and the prevailing character of the several populations existing under them; showing how far the effect of the regular gradations of climate is from producing corresponding gradations of physical character in men.]

In the first place, let us take a view of the present and former populations of the American continent. Previous to the settlement of Europeans on this continent, it was occupied throughout its whole length, from the cold regions of the north to those of the southern continent, by a race, or a variety of races, nearly resembling each other in color, and, with few exceptions, in their general appearance, though differing widely in mode of life and degree of civilization. The uniformity of color, indeed, approached to monotony. The Esquimaux and Greenlander (above 60° N. latitude) robed in furs, were as tawny as the Indian, whose naked body was exposed under the vertical sun of the equator. So far as differences were found, they were often in direct opposition to the assumed law of climatic influence. Some of the lightest tribes were to be found in the extreme south of North America, (say at 10° to 20° N. of the equator,) and in the very heart of the tropical portion of the southern continent, while some of the darkest were found in the vicinity of our great lakes, (40° to 50° N.,) where winter rules during much the greater portion of the year, and the air is constantly moistened by those great bodies of fresh water. Humboldt mentions, with apparent surprise, the numerous cases coming under his observation, of the superior lightness of complexion in inhabitants of the hotter climates, where the tribes were known to have had no connection with Europeans. "The Indians of New Spain," he says, "bear a *general resemblance* to those who inhabit Canada, Florida, and Brazil." He says, further—

"The inhabitants of the torrid zone, who inhabit the most elevated plains of the Cordillera of the Andes, and those who, under the 45° of south latitude, live by fishing among the islands of the Archipelago of Chonos, have *as coppery a complexion* as those who, under a burning climate, cultivate bananas in the narrowest and deepest valleys of the equinoctial region. We must add, that the Indians of the mountains are *clothed*, while the aborigines, who wander over the plains, *go quite naked*, and are, consequently, *always exposed to the perpendicular rays of the sun.* We every where perceive, that the color of the American *depends very little on the local position in which we find him.*"

On the Upper Orinoco, Humboldt speaks of *fair* tribes of Indians, who "have the features, the stature, and the smooth, straight black hair which characterize other Indians. It would be impossible to take them for a mixed race, like the descendants of natives and Europeans, and they are neither feeble nor Albinos." Dr. Morton says, "The Charruos, who are *almost black*, inhabit the 15th degree of S. latitude, and yet the blacker Californians are 25° N. of the equator."

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The result is equally decisive in examining the *present* population of the continent. One race has swept the other nearly from the face of the con tinent, and coming from a region embraced within about 25 degrees of latitude, all of it within one zone, and all north of 35° N., has spread itself on the new continent, throughout nearly the whole inhabitable region, from about 60° N. to 40° S. In this new home, besides the new influences of climate, they have adopted new modes of life, new forms of society, new governments, new habits—yet, at the lapse of 300 years from the period of the first settlement, they retain not only the general resemblances to each other, that existed among the original nations from which they came, but even, when not amalgamated, the most prominent peculiar national characteristics, which they brought at first with them, and which are seen at present in their original countries, in Europe. Let us look particularly at the United States, as the nation which is most familiar to us all, and the example of which will therefore carry more weight. The United States extend from about 25° to 50° N., and embrace, probably, a wider variety of climate, soil, and natural condition, than can be found in any other nation. It may be admitted, perhaps, that between the extremes of the Union—between Maine, or Vermont, and Georgia or Louisiana—there is a slight variation of color, such as difference of climate may easily produce; but such variation is not very perceptible. As dark-skinned people are found in New-England as in the extreme south, and as fair people in that section as anywhere at the north. In feature or form, it would be difficult to point out any difference at all; there is no noticeable feature common in one section that is not equally observable in any other. The Indians remaining in the country, retain the marks that distinguished their ancestors 200 years ago; although an entire change has come over their condition. They are now a broken and feeble race—have generally adopted the dress, and forms, and mode of life of the whites—cultivating the soil and manufacturing, instead of seeking a subsistence in the chase. A greater change, perhaps, has never occurred in a people than that which has taken place in the North American Indians. Yet, they have the same color, the same physiognomy, the same general expression of countenance, that characterized their fathers, although more subdued. In the vast region peopled from Spain, extending through 80 degrees of latitude—from 40° S. to 40° N.—the settlers of which come within seven degrees of European latitude—the Spaniard is everywhere seen at this day. The untainted descendants of the conquerors and settlers of Mexico, Venezuela, Peru, Chili, are as decided Spaniards as Spain can produce herself, and bear as much resemblance to each other, as do the men of one province of old Spain to those of another. And the Indian of those regions, however much greater the change made in him than in the Indian of English America, in consequence of the harsher treatment of the Spaniards, retains the physical peculiarities of his ancestors—the vigorous and civilized races who acknowledged the reign of Montezuma and Atahualpa.

Passing now to Europe, we find as much variety in color, as might freely be conceded to be the effect of the wide variations of climate within that small continent, were there no other cause. The French people are observably more dark than the Britons; the Spaniard is swarthy, and the Italian has a deeper hue still. These variations proceed with a degree of regularity toward the south, though there is but little difference between the actual heat of the climates of France, Spain and Italy. Now, we may

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find whole nations of mulattoes, and some real Negroes, who are of lighter complexion than the Italians or the Spaniards, and therefore, according to the theory we oppose, the Italian and Spaniard are nearer to the extreme or "exaggeration" of the Negro, than these mulattoes and light Negroes; or, the other way, these latter should occupy a higher rank in the white race. But the accompanying gradations of features, &c., which we should expect, on the theory, do not appear—the very reverse happens. The people of these southern nations are the most delicately formed of Europe, and the Spanish and Italian ladies are celebrated for the regularity and beauty of their features. These nations are just as far from the Negro as is the German or the Swede. They belong as fully to the European race as any other people in Europe, and though Dr. Smyth urges so strongly the insensible blendings of the races into each other, can in no sense be regarded as connecting links between the whiter nations of Europe and the Negro. On the other hand, the lighter Negro is in no sense a member of the white race. He bears the unmistakeable marks of his race apart from his color—he is not a connecting link, either—he is a *pure* Negro, if he be not a *complete* one.

Turning next to Asia, we find the whole body of the population of a dark color, not indeed resembling the Negro, but very far from the complexion of the European, even in parallel latitudes. According to the theory in consideration, this would indicate a much higher temperature in corresponding regions, in Asia, to that which prevails in Europe. Yet the opposite is the fact. Europe is the warmest portion of the globe within the parallels by which it is bounded. The cold that belongs to the latitude, is not experienced in any part of the continent, owing to a variety of mitigating circumstances. The prevailing winds are from the west;—within the polar circle, there is very little land, and the whole northern region is separated from the icy fields of the polar region, by an open sea, the temperature of which is kept considerably high, by communication with the Atlantic, from which it receives the warm waters from the Gulf of Mexico, carried thither by the Gulf Stream. And even this so moderately cold air is intercepted by high mountains, from a passage to the south. Hence the air is essentially moderated. From the south, the hot winds are continually blowing in from the great desert of Arabia, and their influence is felt, no doubt, to the very heart of the continent.

In Asia, on the other hand, the whole northern boundary reaches high up within the Arctic circle, and joins the winter limit of the polar ice. During the short summer, there is only a narrow zone of water between the ice and the land. There are no chains of mountains along this shore, and the intensely cold winds from this ice region, blow over the plains far down the continent. On the other side of the continent, the south, there is no arid desert to counteract the effect of these winds. No part of the continent reaches to the equator, and but a very small portion of it is within the tropic of cancer. It is not, therefore, warmed by any of those heated currents which penetrate Europe from Africa, and even the moderately warm winds of its tropical region are nearly cut off from the centre of the continent, by the position and altitude of its great mountain ranges, the Himmaleh, &c. The temperature of the central portion is still further diminished by its general elevation.

In the comparison of the Asiatic nations with each other, we find the same results as in Europe. We first look at the Mongols, in which term

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we do not, as is generally the case, include the Tartars at large, but refer specially to a people living in the southern part of Siberia, and the northern part of the Chinese empire, (say latitude 40° to 55° north,) who, though resembling the Tartars of the south-west of Asia in their modes of living, habits, and customs, are improperly compounded with them, being a distinct race. The Mongols, notwithstanding their high latitude, are of a dingy complexion, while the Tartars, extending south to the Southern seas, are of light complexion. In the same latitude with the southern part of the Mongol region, 40° north, is Caucasus, the inhabitants of which have the perfection of the European form and complexion. The Persians, between 25° and 40° north, are from an olive to a deep brown. Between the Tropic of Cancer and 40° north, are the Chinese, whose complexion is a faint yellow. In Hindoostan, (8° to 36° north,) there is considerable variation of color, such as might be easily allowed to climate. The average complexion is darker than that of the region above, but it is lighter still than the average of Arabia, the bulk of which country is further to the north than that of Hindoostan. But even the variation found here we shall be puzzled to account for by the agency of climate. Tribes of very different features and complexion, are found in the immediate vicinity of each other, where they are known to have lived for ages, and climate may be fairly presumed to have exercised its full influence on each. Small communities of black men, with Negro characteristics, are found in the elevated region of the Himmaleh mountains, at the very northern extremity of India, while the Hindoos, in the hot plains below, are comparatively fair, and white races are found almost in juxtaposition with those black ones. The remains of an ancient Negro population are also supposed to be found in some of the islands of the Bay of Bengal. Like variations occur in the Dekkan, on the western coast, in the southern part. The Brahmin tribe are generally a fair people, but there are very black Brahmins. "And," says Pritchard, "the social regulations of the Indian community preclude the supposition that this race, at least, has been intermixed with the barbarous aboriginal tribes"—(i. e., former Negro population.) He attributes the color, therefore, to "the agency of temperature." But is there no explanation demanded, to show why it is temperature should affect one part of a tribe, and leave the other part, following the same customs, &c., untouched? Admitting the average complexion of Hindoostan to be black, as it is rather exaggerately called, it is still certain the Hindoos are as far from the Negro as any people of Asia. Their case is precisely parallel to that of the Italians in Europe. The depth of their shade over that of the Tartars and Mongols is no more than that of the Italian, as compared with the Germans and Britons, although the difference of latitude and climate is far greater. In form, the Hindoos are graceful and delicate, approaching even to effeminacy. But the variations in Hindoostan suggest one question: If the small tribes, living so near together, and varying little in forms of life, maintain, for ages, such wide distinctions of form and color, what influence of climate, within the whole range of the earth, can possibly ever transform either of the extremes of men into the other?

The peninsula of Malacca, the southern extreme of Asia, approaching to within two degrees of the equator, is inhabited by a people who are less dark than the Southern Arabs, living 20° further north. In the centre of this peninsula, are found the remains of what, with the like tribes in Hindoostan and Bay of Bengal, are supposed, by Pritchard and others, to have

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been the former Negro population of all the south of Asia—the aboriginals of all this region. They suppose this race to have passed from the upper countries, through this region, from east to west, and finally reaching Africa. Suppose it so—if the blacks came from the higher regions, certainly they do *not* owe their color, &c., to climate; and if they preceded the Hindoos and Malays, in these lower regions, and yet retain all their primitive distinctions, while the existence of the former, counting its ages upon ages, leaves them so far from the Negro type—what has the influence of climate effected?

In Arabia, extending from 12° to 32° north, the variation of color is most noted. The Southern Arabs are much darker than those of the north, and, as we remarked, are darker than the Malays at the equator. They are the blackest people of Asia. This may be caused by the variation of climate—by the extreme heat, and parched deserts of southern Arabia. Yet the Southern Arabs cannot be said to approach, in the least, to Negroes. They have the same features, form, and all other characteristics that mark their fairer brethren of the north.

We approach now to Africa itself, and in neither quarter is the hypothesis in question more effectually refuted. While the climate of Africa is the most intemperate of the world, and the perfection of the Negro race is found within its hottest parts, still it has almost as great variations of form and color as the other sections, and these mixed up with even less conformity to the degrees of temperature. Let us begin on the western coast of Africa, at the region in the vicinity of the Niger, where the most intemperate climate in the world prevails,—one that is so destructive to hardened European travelers, as to make fatal every attempt to explore the upper waters of the Niger, and veils from geographical science the sources of that celebrated river. Here are found, on the Slave Coast, so called, the blackest and most degraded of the Negro tribes. Yet, in the same region, we find tribes as different from these as are any in Africa, excepting the Moorish races on the Mediterranean. The Ashantee people, near the Gold Coast, (latitude 6° to 8° north,) are lighter colored, and better featured, than most of the Negro tribes of the whole continent. They have oval faces, and their hair curled rather than woolly. They have, also, some degree of civilization. The same is the character of the Sulima and Dahomons. The Bulloms are very black, but have good features. The Pàpals are very dull, ferocious, gross Negroes, of a dirty, livid color.

Soudan, to the north of Guinea, and between 5° and 15° north, is peopled mostly by full-marked Negroes; but there are marked variations here. The people of Guber and Houssa, who are somewhat civilized, are the fairest race of genuine Negroes in all Africa, if the Golofs be excepted, a tribe discovered by the Portuguese, in the time of their commercial supremacy, and then in a state of comparative improvement. In Bornou, adjoining Houssa, the Negro features and color prevail in excess; these people have, however, some manufactures, and are much above many of the tribes. In Loggun, immediately south of Lake Tchad, where the climate is so execrable, and the pest of insects so bad, that even the natives are obliged to stay in doors at mid-day, the ladies are the handsomest and most intelligent of all Negresses.

Senegambia is on the coast, to the west of Soudan, and in the same latitude. The population are mostly full Negroes. In the midst of them, however, are the large tribe of Foulahs, extending from the Gambia river,

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in 10° north, southward to Cape Palmas, (Liberia) 5° south, in a nearly savage state, who have a black, or, as some say, merely a tawny complexion, straight, silky hair, regular and pleasing features, totally unlike those of the Negro. They are even said to resemble the symmetrical and delicate forms of the Hindoos. The Mandingoes, on the mountain country, between the Gambia and Senegal rivers, are moderate Negroes, having the most aptitude of any for improvement.

In regard to the effects of exposure to the sun, the same fact is noticed here as was mentioned in regard to the slaves in the United States. The tribes are divided into castes—the higher of them living in ease and opulence, and protected from the action of the heat. These display the Negro character in its perfection, while those who are obliged to labor beneath all the fervors of the climate, with miserable clothing, if any at all, and the worst subsistence, are of a much paler complexion. In fact, their complexion is as much a source of pride to them as the lily and carnation are to Europeans. The higher class, particularly, are vain of their jet, and the ladies protect the gloss of their skin from the blanching rays of the sun, as carefully as our white ladies shade their faces to preserve them from tan.*

The great Desert of Sahara, extending from about 15° to 30° north, where rain never falls, and where the sands are parched through the whole year, are peopled by various tribes, mostly of wandering habits, and thus continually exposed to heat, thirst, etc. But here, though we meet with all the varieties, the prevailing character is the Arab, which all the severity of desert life is not able to convert into the Negro. The Touricks, who comprise the largest class of native Africans, are of the complexion of the Arabs, generally brown, or almost white.

Egypt extends from the Tropic of Cancer, 22½° to 32° north. According to the argument which Dr. Pritchard, Smyth, &c., pursue, and their mode of establishing it by comparison of skulls, Egypt has been peopled from time immemorial by both races, each maintaining its distinctive features, from the remotest antiquity to this time.

Nubia.—The people comprehended under the term Nubians, extend from about 8° North latitude to the southern boundary of Egypt, 22½—all within the tropics. It comprises the Bombia, the people of Sennaar, the Samaules, the Sauking, Abuddah, the Galla, and other tribes. They have oval faces, curved nose, thick (but not negro) lips; frizzled (not woolly) hair, brown complexion, and fine person.

Abyssinia.—Situated between 4° and 15° of north latitude, is one of the loftiest and coolest sections of Africa within the tropics. For several months in the year, it is covered from the sun by dense clouds, and deluged by rains. Another large part of the year, it is visited by easterly winds from the Red Sea and the Sea of Arabia, which are loaded with vapor, and have a very cooling effect upon the atmosphere. The people possess a form of civilization, the highest at least among the African tribes, and have the Christian religion. Added to a mild climate and condition, they have a mixture of Arabian blood, which is discernible throughout the nation, in their fine shapes, straight hair, and handsome features. Yet the

* There is no inconsistency in this, with what was before said in regard to the preference of the Negro for the white man's form and complexion. What we asserted then was, that the Negro's original preference for his own color was not founded in *enduring* taste. It is natural men should, for the time, prefer that to which they are accustomed to that which is strange.

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Abyssinians are the blackest people of Africa, excepting the Negroes of the west coast. It is separated from Arabia only by the Red Sea, its altitude being equal to several degrees of latitude north, and the hot sands of Arabia being equal to as many more, in favor of Abyssinia. Yet the darkest of the Arabs are lighter than the Abyssinians, with their mixture of Arabian blood.

On the east frontier of Abyssinia, is a race decidedly Negro, deep black, woolly hair, etc.

Ajun—4 to 12° north.—In this region are the Berbers, Soumales, Bechuana, and other tribes, called the Numidian race, who have hair long and black, dark eyes, light brown skin, and European features. Other tribes within this region are full Negroes.

We have thus reviewed the nations and tribes north of the equator,—we now come to those south of the equator.

On the east coast of Africa, between the equator and capricorn, are the large divisions of Zanzibar, Mozambique and Monomotapa, with a climate less intemperate than that of Western Africa, but next to it the hottest in the world. These are low, sandy regions, almost without rivers, and are never wet except by a few showers in the rainy season, which is shorter than in other tropical climates. The inhabitants are the most degraded of human beings. They go naked, have no houses, live in filth, subsist on mean food, and are but a step from brutes. Here we have climate and condition powerfully united. Their complexion is brown,—they are much whiter, in fact, than the Arabians and the Hindoos, who are immeasurably above them in civilization, and in a region of far lower temperature. They are whiter than those who live below them, outside the tropic of capricorn, and between that and the Cape of Good Hope. The complexion here is seen to grow darker in receding from the heat. The features of these people bear no resemblance to those of the Negroes. Those in the southern part of this region are of the Caffre race, and are extremely handsome, tall, robust, and of elegant symmetry, almost European features. In Monomotapa, where this race is seen, there is also a tribe of "Negroes of the ugliest description," called Montjous.

Corresponding in latitude to these regions, are on the west coast, (from the equator to the tropic of capricorn,) Loango, Congo, Angola, Benzuela and Cimbebas, the very heart of tropical Africa. The people of Congo, although black, have no sign of Negro features. Their faces resemble the Caucasian; the hair is of a reddish brown color. This is pretty nearly the character of the rest of those regions. They are in a low state as to civilization.

Finally, we approach the southern extremity of the continent, and here we find the Hottentots, in a region where the winters are accompanied with frost, and who, cut off from all admixture with the tribes in the higher latitudes, have an umber hue, or yellowish brown; and some tribes in this region are of a red, or copper color.

Such is the distribution of forms and complexions in Africa; and such has it always been. Pliny tells us, that in his time, there were cantons of "white Ethiopians" mixed in with the Negroes of that region.

Leaving Africa, we will complete this review by a glance at the islands of the Indian and Pacific Oceans. Here we find two races, the black and the brown, or Malayan, scattered indiscriminately, mixed all up together, and frequently occupying the same island. In some of the islands, the

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diversity is great enough, Smyth tells us, to characterize them as the white and black races. There is every variety, says Pritchard, of form and features, hair, skull, etc., except the Esquimaux. In these islands, where the black and brown races are found together, the latter is invariably in the ascendant, and holding the blacks in the utmost contempt, reducing them to the most abject condition of slavery and degradation to which it is possible for men to descend.

In the Philippine Islands, the Moluccas, Borneo, New Guinea, and other important groups, lying 15° to 20° each side of the equator, the black and brown races are found together. The blacks, as in all the Australasian islands, are of that class called the Papuan, physically and mentally the lowest of all black men, resembling and seeming scarcely superior to the monkey. They are as different from the Negro of the slave coast of Africa, as he is from the Abyssinian. The brown race, on the other hand, living in the same climate, possess all the peculiarities of the Malays of Asia—long, black, shiny hair, eyes brilliant and full of fire, great mental energy, and determined character.

In New Holland, between ten and *forty* south, the natives are Papuans. Their color is a deep chocolate, and they approach nearest of their family in resemblance to the monkey. They are, probably, the lowest of the human race.

In Van Dieman's Land, 30 to 40 degrees lower than the Caffres, and 20 from capricorn, (at *forty-three* south,) the natives are black and woolly, regular Negroes.

In New-Zealand, 20° S., belonging to the Pacific islands, the people are of the Malay cast,—tall, well formed, with black eyes, and intelligent.

The Marquesas, between 8° 30′ and 10° 30′ south, contain a finely formed and active population.

In the Sandwich Islands, 20° north, the complexion is a deep olive.

That the Oceanic races have long lived together as they are found, is a fact admitting of not the slightest doubt. Pritchard regards the black as the aboriginal of all this region. At any rate, both races have lived here long enough to have tested all the powers of climate and condition in modifying the human character, and yet they remain, physically, more separated, while thus under common influences, than the same stocks under all the difference of circumstances, in Asia and Africa. In the very heart of the south temperate zone, we find the Negro in even a more "exaggerated" type than the African.

We have now briefly examined the connection of physical expression—and partially of mental—to the climate, in regard to the *permanent* population of the various regions of the world. To complete the examination, and make the testimony entire, we will now examine the effects of migrations, or changes of abode, by races or bodies of people, from one climate and condition to others essentially different. Here, if anywhere, should be found something to support the theory we oppose.

To begin with the migration of the Negro race through Southern Asia, from east to west, as assumed by Pritchard, Smyth, &c., and measurably proved, (although we do not consider the fact of a civilization, or of a high civilization, if any, involved in the proof of this point,) this very ancient migration is traced through Japan, Further India, Hindostan, &c. And how traced? By the unfailing permanency of the Negro constitutional character—by the entire resemblance of his skull, features, color, with those of

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the Negro of the present day—brought from the cooler regions of Central Asia, and retaining their perfection in his long sojourn in the high latitude of Japan, and the moderate heat of tropical Asia. From these regions he appears driven, like the Indians of America, before a superior race, who, in their turn, test the powers of the climate, and remain as we see them at this day.

The subsequent peregrinations of the Negro family lead the great body of them to Africa, their designed home and appropriate region; but fragments of them strayed in other directions. Herodotus speaks of a community of Negroes near Mount Caucasus, upon the borders of the Pontus Euximus (Black Sea—between 40° and 45° north) who were considerably civilized, and were noted for their linen and other manufactures. It is only certain these were *black* men; they may not have been Negroes. But, whatever they were, it appears they retained their complexion in the cool region of the Black Sea.

Egypt has been peculiarly the land of migrations. Race after race has occupied her soil. We have found the blacks very early (at least) passing from Asia into Egypt, in their way, finally, to Africa, and dwelling there for thousands of years. Earlier or later, but very early still, we have found the white man in Egypt, also—and, through all the long cohabitation, we find the races unchangeably distinct.

Later, the children of Israel performed a comparatively short migration from Canaan to Egypt. The change of climate could not have been great, but different modes of life had stamped different peculiarities on the two peoples. They sojourned there 400 years; they did not mix with the people of the country by marriage, although following their customs in most respects, eating like food, &c.; yet they remained entirely distinct from the Egyptians, retaining all their peculiarities as essentially when they left the country, a large people, as when they entered, a single family.

The Mamelukes were carried into Egypt in the 13th century. They were, at first, but slaves, but afterwards obtained the supremacy, and, for 260 years, had the government in their own hands. The separate condition, at first forced upon them, they retained by choice; and, in consequence, the Mamelukes, at the time of their ascendency, were as easily distinguished from the Egyptians as those who were first brought to the country.

To come to later times, the various hordes of Tartars, which, under different names, have emerged from the cold regions of Siberia, and spread themselves over central and western Asia, and eastern Europe, appear to retain, in their present multiplied and diversified condition, their primitive characteristics, even to those which distinguished them from each other as tribes.

We have already alluded to the case of the Arabs in the desert.

The case of the Moors in Spain is a remarkable instance. That people conquered the southern portions of Spain, in the year 711. There they remained for 781 years, quiet occupants of the country, until banished by the most unrighteous, and, to Spain, disastrous, edict of Ferdinand, in 1492. Notwithstanding a considerable intermixture with Spanish blood, the effects of which are yet seen in the southern provinces of Spain, they retained, during all this period, their essential characteristics, and were, as a body,

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as radically Moors, as their fathers who landed years before from the States of Barbary.

The Normans, who conquered England in 1066, were not in effect from a different climate from the Saxons, and the difference between the climates of England and French Normandy, being very small, if appreciable. They were, besides, near relatives of the same family. Their differences were mutually melted into a common type, by a process of amalgamation, effected only after a long time.

To the settlement of the various European nations, English, French Dutch, Germans, Spaniards, &c., throughout all the latitudes of America, we have already adverted, as well as to the transportation to, and inhabitancy of the same regions, by the black races, and the destructive, instead of alterative effects upon the latter.

Two other cases adduced by Dr. Samuel S. Smyth, in support of his theory, are those of a colony of Hungarians, who emigrated to Lapland, and, after some years, became perfectly assimilated to the natives of the country; and the second is that of a colony of Portuguese, who, about three centuries ago, removed to Congo, of whom no trace can be found at the present time. Such arguments as these, are certainly to be allowed very little weight. A small party of men, going to a region essentially different in climate and character from that they have left, and where they will be surrounded by powerful savage tribes, without support from further emigrations, is almost certain to be cut off by disease and violence, or lost in an amalgamation. In such a state, policy would suggest to them that they cannot hope to survive, if they live in a separate state, and they will see the necessity of gaining the friendship of the people they are among. Nothing can so much secure them a constancy of this friendship as intermarriage—nothing so much advance their influence, and the consummation of whatever plans they may have; and such colonies of civilized, going among savage men, usually *have* plans depending on the friendship of the latter, and the power of drawing them to assist in the prosecution of their purposes. In such cases, intermarriage must soon extinguish the original emigrating stock, if there should be no accessions to it from abroad, as does not appear to have been made to these colonies. If the proportion of settlers were to the tribe around them, as one to five hundred, a complete admixture of blood would swallow up 499 parts of their blood, and, of course, the one remaining would be totally invisible. But if no admixture took place, the chances would be almost to a certainty, as the history of colonization, the world over, abundantly proves, that they would totally perish before the severities of climate and disease, or the hostility of the natives —for, it must be remembered, these parties were far too weak to bid defiance to either of these hostile agents, for even a brief period.

The last, and most remarkable case, we shall mention, is that of the Jews,—we have already alluded to their migration at the period of their origin as a nation—we now refer to their dispersion since they ceased to have a national existence. They have been scattered abroad for many centuries, and have inhabited nearly every region under heaven. Retaining, in most instances, the customs and habits that prevailed in Judea; avoiding all connection with foreign blood, they are, at this day, distinguished wherever found. They have a national countenance which is recognised wherever a Jew exists. Here is a fact, which must prove totally insurmountable to the believers in the transmutation of races.

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We are, indeed, told that there is a colony of *black* Jews in Hindoostan, but we have no evidence that this blackness is anything more than a *dark* skin, as compared with the general complexion of Jews elsewhere; and it does not appear that they have, in any degree, lost the peculiar features of their nation, which are far enough from the immobile, inenergetic, and brutal features of the Negro. In fact, if there were any change of feature, it would be in assimilating them to the native population, (to which type, it is argued, they are converted, or being converted,) to a far more delicate and beautiful physiognomy, than that belonging to the Jewish nation.

We will now close this extended article with a few references to the book under review.

The 23d chapter is devoted, in part, to the proof of the *inexpediency* of the opinions it attempts to refute. We see not what their expediency has to do with their truth, allowing the term, in any sense, applicable; but we cannot see any propriety in the word. A man's actions may, indeed, wisely be put under the direction of expediency; but we have an entire disrelish to any such mode of judging *opinions.* The only rule of belief that we can recognise, is the conviction of right. "It is impolitic," cries this inquirer after truth; "it is inexpedient and suicidal to the South." "It would be so because it is *novel.* It was *never known or thought of by their fathers.*" This argument might exceedingly befit the mouth of an individual of any tribe that may be found at this day ignorant enough to believe the world resting on a heap of stones, but sounds strangely from a philosopher of an enlightened nation. It was once, perhaps, deemed inexpedient to acknowledge the circulation of the blood, though we never heard that the denial of that truth was placed on this ground, even in those days. Does Dr. Smyth intend the main effect of this meaning to be in the argument or the incident? Does he mean, as a member of the white race, to equalize the intellect of white and black, by intentionally depressing one where he fails to elevate the other?

He believes the opinions he combats farther inexpedient, because they would alter the sense of their *obligations* to the slaves, which are now acknowledged by the southern master. We cannot comprehend how it should do so with intelligent men, as we believe these masters generally to be. The wants of the slave, his faculties, powers, &c., would all *be the same* as now, whatever theory prevails, ensuring him precisely the same rights. Not a crumb could rightfully be taken from his food, not a thread from his clothing, not a link added to his chain, on that account. We should have no more right to maltreat or enslave a different race of men, because we consider it a different race, than we have now to enslave or maltreat for what differences we do recognise.

Dr. Smyth fortifies his theory by the array, in one chapter, of a formidable list of the *names* of authors, medical writers, ethnographers, and linguists, naturalists, archbishops, bishops, "scholars," religious writers, reviews, cyclopedias, and philosophical journals, to whom he adds, finally, the Christian Church and the world at large in all ages. He might have told us, also, that similar combinations have been arrayed in the support of other opinions, in other times, of which Dr. Smyth would hardly be willing, at present, to admit his concurrence with them. Can he doubt, that this very army will itself, at some future time, be convicted of palpable errors on some matters, if not on that under discussion, on which its opinions have been, and remain yet, most confident? The advocates of the diversity of races have largely increased within a few years, and there

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can be no security to Dr. Smyth that they will not soon be in the majority of numbers. There are among them, at present, some of the most eminent men of science in Europe and America.

As to the literary merits of the volume we are now about to lay aside, beside the frequent self-contradictions, (to only a part of which have we alluded, not being disposed to take all the advantage offered,) the arrangement of it, though a system is attempted, is very disorderly, and indicates a considerable degree of confusion in the author's ideas. He seems to have thrown off the different parts at different heats, with no purpose in any one extending beyond its own isolated completeness. It appears as if one part of the subject were studied by itself, and written out before another was thought of. With a proper digest of the whole subject, the omission of needless recapitulations, and of one side or the other of contradictory arguments, and a considerable abatement of its tautolgy, the matter of this volume might have been compressed into a book of one-third of its size.

OUR LAND SHALL NEVER WEAR A CROWN.

OUR Land shall never wear a crown!
Shall feel no Tyrant's threat'ning frown;
T'is Freedom's home where dwell the brave,
And bends to man no crouching slave;
T'is Freedom's land, whose sun-lit sky
Is hallowed unto Liberty.

T'is Freedom's Land! and here no tread
Of conqueror shall profane our dead,
Nor touch their sainted forms who burst
The chains a race of Kings had nursed,
Whose requiems still through time shall be,
Loud anthems unto Liberty.

Our Land shall never wear a crown!
Nor droop her Eagle Banner down;
Her stars are set to beam on high
As beacon suns of Liberty—
To glow with clear celestial light
Where nations grope in darkest night.

And proudly floats our banner free
O'er many a land, o'er every sea,
And heartfelt homage though untold,
It meets I know in climes of old,
Where children yearning long to see,
The home of glorious Liberty.

Our Land shall never wear a crown!
Nor Freedom's bulwark crumble down,
Though menaced by th' united power
Of Monarchs with oppression's dower;
Our Nation with a proud disdain
Would fling their insults back again.

For Freedom is of Heav'nly birth!
T'was wooed by Heroes to our earth,
And beckons with a friendly hand
To the oppressed of every land,
That all may come, that all may be,
Inheritors of Liberty.

Our Land shall never wear a crown!
Though once her sons were trodden down,
And freely for their country bled,
Whose soil with noblest blood was red,
Ere Freedom perched upon our shores,
That Freedom—which mankind adores.

Ere Liberty, that sacred dower!
Was ours in spite of England's power,
Whose Lion with its mighty roar
Can reach not where our Eagles soar!
With blust'ring strength it cleaves to earth—
Our Eagle claims a loftier birth.

Our Land shall never wear a crown!
Shall never know oppression's frown,
But sons of Pilgrim sires shall feel
To bless their Fathers' holy zeal,
Which brought them to this land of ours
In search of Freedom's hallow'd bow'rs.

Oh Land of Freedom! let the wave
That loves your hardy shores to lave,
Bear with it o'er the deep afar,
Some spark to kindle Freedom's star,
That other Lands unthralled shall be,
And bless the God of Liberty.

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SOME IRISH POETS.*

Professor Longfellow, in that quaint and curious volume entitled "Hyperion, a Romance," speaking through the character of a German philosopher, says: "A life of sorrow and privation, a hard life, indeed, do these poor devil authors have of it, and then at last must get them to the workhouse, or creep away into some hospital to die." We have undertaken a task in which much of this suffering must be disclosed; we are about writing upon the literature boasting the names of Thomas Davis, and James Clarence Mangan; and when we look at the volumes piled before us, it is a sad reflection to think in the midst of how much suffering and misery, physical and mental, they were produced. A picture rises before the eyes of our mind—dark in its shadows, and yet true to the reality: we see the poet Davis laboring in that most laborious field, literature, with a form wasted and attenuated by toil; eyes blood-shotten by constant poring, deeply sunken in their sockets, yet lighted with the fire of determination, and gleaming like the heavenward-turned eyes of a martyr around whom the faggots blaze and the multitude jeer and taunt. And Mangan, homeless and penniless, wandering about under the shades of darkness through the deserted streets, and along the silent quays, more like a messenger from spirit-land, than a being of flesh and blood; pausing by the dim light of the street lamps, and writing upon bits of soiled paper picked up in his wanderings, verses of most stirring spirit—urging his countrymen to assert their rights, and warning tyrants of the approaching hour of retribution; or, catching the oriental spirit, and writing in strains so worthy of Hafiz or Sadi, that even the best scholars were deceived into a belief of their originality; alternately wailing with sorrow—sending forth notes as deep and mournful as those with which Goethe's minstrel charmed the ears of Wilhelm Meister, and anon calling forth agonizing bursts of laughter by some most ludicrous image or odd idea.

We have particularized these writers as being the most prominent with whom we have now to deal. They were, indeed, the master spirits of the age; the great lyrists who used their pens as others used their swords, and who, if they did not lay out the plan of fight upon the field of battle, at least inspirited the forces to meet their foes with firm hearts and unbending front. But they have not yet been properly appreciated by their countrymen or by the world. This is one of the hardships of a

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Ballads and Songs. By the writers of the "Nation." Dublin, 1845.—The Poems of Thomas Davis. Dublin, 1846.—Anthologia Germanica; a Series of Translations from the most Popular German Poets. By James Clarence Mangan. 2 vols. Dublin, 1845.—Original Poems; by the same. From the "Young Ireland" Journals, Dublin University Magazine, and other sources.—Ballads and Romances of Ireland. Edited by Hercules Ellis. Dublin, 1850.—Poems for the People. By J. De Jean. Dublin, 1845.—Lispings by the Lagan. By the same. Belfast, 1849.—Ballads and Poems. By Francis Davis, (the Belfast Man.) Belfast, 1847.—Ballads, Poems, and Lyrics, original and translated. By D. Florence McCarthy. Dublin, 1850.—Lays of the Fatherland. By John Savage. New-York, 1850.

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literary existence; fame, and that necessary concomitant to worldly happiness, *wealth!* may seldom be attained in one lifetime by pursuits of literature; few reap the reward, ere *death*, the great reaper, has gathered them to his garner. When the hand that *has* written is powerless—when all the world can expect has been given it, then the thought takes root how sad a fate the poet met. Men buy his books when he can no longer derive benefit from the sale, and subscribers blazon forth upon marble monuments the virtues and merits of the man who suffered upon their door-steps.

We need not go beyond our own land for instances; two occur to us at this moment. Edgar A. Poe, probably the first writer of our country in genius and power of analysis, after being buffeted upon the turbulent sea of life, died in a hospital in Baltimore. Strangers closed his eyes in death; strangers shrouded his form in the vestments of the grave, and he was buried with the common herd. No sooner had his funeral knell been tolled, than his great merits were discovered. Sympathizers sprung up on all hands; his works were collected in elegant volumes, and men were eager to purchase the writings of one, whom, in life, they scorned and derided. The other instance was Bannister—Nathaniel Harrington Bannister, the dramatist. For many years he contributed largely to the amusement and instruction of the people, writing, in the midst of much that was crude and vague from haste, some of the most stirring dramatic poetry of the day. From one of his plays, it is said, a manager realized *fifteen thousand dollars;* and the author, what, think you?—Fifty dollars! He died (who could live on *such* compensation?) in a garret, suffering from want of the most ordinary necessities; and the very persons to whose wealth he had so largely contributed, were loth to pay the sexton a few dollars for opening a grave and lowering his pine-wood coffin into it.

We will not, however, hesitate to confess, that in some, nay, in many instances, the sufferings of literary men are brought on by their own indiscretions or weaknesses; and it would be unjust to condemn the public as the cause of all the unhappiness an individual may entail upon himself. The poet has wisdom, but it is of a peculiar kind. Poetry is seldom found in alliance with worldly wisdom—seldom found to carry out the "penny wise" maxims of 'Poor Richard.' His genius is abstracted from *self* as well as from *pelf*, and thus we find a certain thoughtlessness in his individual conduct. Mr. Macaulay may be partially right in comparing a "great poet" to a "little child;" there is, as we have said, a degree of heedlessness in the poetic character utterly inconsistent with prudence and economy; but the world, which discards and contemns a man because of such faults, is to be censured, if not condemned. Trifling faults, detracting from the *man*, not the *author*, should be borne with: for few will dispute the fact, that one of the leading spirits in a nation is the poet. His works refine the feelings of the people, and perfect the language, while at the same time they provide the most healthful and delightful exercises for the mind.

Let us, for a time, leave such scenes and arguments, which are painful to the sensitive, and far from interesting to the unfeeling, and enter a preliminary discourse upon our present subject—not a *long* one, and, for our readers' sakes, we hope, not an uninteresting one. We purpose, merely, to present the most certain test by which to judge of the poetry of Ireland, at and about the time of her last "rising," and so to do we

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must invoke the aid of history; for the poetry of which we speak forms a large part of Ireland's history during her later years.

The literary history of Ireland demonstrates to the world a great truth; that the human mind is fetterless—free as the sunshine—free as the air. Tyranny may load with chains its unfortunate victim; poverty and toil may add their long list of afflictions; national prosperity and individual happiness may be things unknown; but the *mind* will rise superior to all obstacles, and must, eventually, work its way to the light. In the national prosperity of Ireland there has not, for many years, been seen one ray of cheering sunshine; to the chains forged in past days, new ones have been added, more firm in their fastenings, more galling in their weight. In despite of this, there has been no country which, within a given period, has produced so many men truly eminent. There have been statesmen, the profundity of whose minds could be only equalled by the brilliancy of their oratory and the fertility of their imaginations; dramatists, true in the delineation of human character—sparing not its frailties and emulating its virtues; poets, whose works will live to the "last echo of recorded time," teaching and purifying the world by their holy influences; and prose writers in the various realms of history and fiction, fact and theory, whose works have illuminated the world of the arts and the sciences. True, she may not boast of a Shakspeare or a Milton, but this is no reproach; those master minds stand alone upon the topmost pinnacle of human eminence, and must be gazed at by all people with reverence, from the depths of the valley out of which they soared. Besides, Shakspeare and Milton, as poets, have no nationality. Hamlet was a Dane; Othello, a Moor; and Caliban an island monster; and Milton, in his great epic, soared above the earth, and painted beings of other worlds; so that, while they lived in England, they wrote for all humanity. Familiar to every reader are such names as Sheridan, Grattan, Arthur Murphy, Goldsmith, Swift and Moore; yet they are but a few of Ireland's great names, and that they deserve their greatness cannot be disputed. Of Sheridan it was said, that he had made the best speech, written the best comedy and the best address in the English language—surely, a commendation merited by but few men who have lived. Curran's eloquence will never be forgotten; it was intellectual thunder, and his sparkling wit and bitter sarcasm were flashes from the lightning cloud, playing gracefully round when untempted, but piercing and burning whenever they fell in wrath. Grattan, though not his equal, was a man of wonderful forensic abilities. Arthur Murphy's comedy, "The Heiress," is acknowledged to be one of the three best upon the stage.* (All written by Irishmen! strange to say.) Goldsmith, Swift and Moore have made such contributions to learning as will ever keep their memories green; their writings may be found in every family library, their praises are sounded by every tongue, and men draw their maxims of daily life from their teachings.

This must be a proud reflection for Irishmen; and even we, as Americans, feel a pride in acknowledging, that during the dark ages of her own history, Ireland has produced a great share of the most remarkable men of the last century.

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* Sheridan's "School for Scandal," Murphy's "Heiress," and Goldsmith's "She Stoops Conquer."

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With these writers and orators to whom we have alluded, we have no more to do; our object is now to speak of those poets of Ireland, who lately have been, or now are in existence, the poets of the "Young Ireland party;" there may be names in the list still little known to American readers, but there will be none who do not deserve high positions in the world's esteem—none who could not be placed beside the great men of other ages and other lands, yet suffer little from the comparison. We propose to consider them impartially, and decide upon their respective merits by a just standard of honest criticism.

We cannot judge of this poetry by the same standard which we would adopt in criticising Milton, Dryden, or Pope; we cannot judge of the poets by themselves alone, but by contrast with the political operations about them. Poetry was a lever by which they expected to lift the burden of foreign tyranny from their land, and was, therefore, a political instrument; it was revolutionary in its tendencies, revolutionary in its teachings; designed to awaken the public mind, to agitate the people into open resistance, and in this view it was not unsuccessful, as we will proceed to prove.

It is unnecessary to go back any great lengths in the history of Ireland. Its ancient greatness, and the subsequent usurpation of authority over it by the sovereigns of England, are familiar to all readers. As well known, also, is the rebellion of 1798, when Irishmen, unable longer to submit to the yoke, rallied upon the battle grounds of their fathers to fight for the liberty once enjoyed, but of which they had long been deprived. Though the rebellion of '98 failed in producing its great objects, it cannot be said that it was entirely unsuccessful. Ireland was not liberated; but the public mind was agitated, the question fairly brought before the people, and hostility to oppression openly declared. Patriots were stimulated in their hopes; and those who before had kissed the rod that smote them, joined in a common cause—a hatred of oppression, and a determination not to rest until their country once more enjoyed its ancient glory. The great Rebellion, then, failed to a certain extent; its leaders fell; Fitzgerald and Wolf Tone were sacrificed; others were banished; some died in their dungeons; but a few escaped, bearing with them all their feelings of hostility to the crown of England, all their love for Innisfail. The people were deprived of arms and ammunition; rebellious books were burned; presses were made venal, until even the watchful eye of the ministers could detect no signs to excite suspicion. But, though the waves were hushed, the storm was not over; silently and strongly, as the wind may pass over the waters, only rippling the surface, so in the hearts of those men swept the strong wind bearing them ever onward to the achievement of emancipation. Open opposition would have been fatal: but while the people repressed all external signs of emotion, they were strong in hope and mighty in spirit. The American revolution had succeeded, and this inspirited them; they were deprived of the most trifling privileges before enjoyed; the produce of their fertile soil was carried away to gorge the appetites of non-resident nobles and landlords, while they themselves were starving in the sunshine, in the sight of corn-racks, watched by an armed soldiery; and potato-fields it were death to enter.

For a few years the elements were quieted; but then, with gathered strength, the people rose into more violent opposition. Again the giant hand of oppression was lifted to smite them; again was an effort made to cut

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out from the hearts of the people all nationality, root and branch to exterminate it. Robert Emmet was executed. He died upon the scaffold, breathing a high disdain of tyranny and its efforts; vindicating himself before the eyes of the world, and predicting the approach of more prosperous times for his country. This execution of a man so endeared to their hearts, only strengthened the hatred already so strong among the people; every man, in the stillness of night, breathed to his soul silent, yet deep, vows of revenge.

These measures, on the part of England, put a stop for a time to movements in favor of liberty; but the calm was not of long duration. O'Connell blazed upon the scene, and the people, ever ardent in their hopes, were deluded into a belief that victory must follow his banners; that their only salvation lay in carrying out the measures proposed by him. Long and faithfully did they maintain their attachment, hoping until the last moment, and never hoping more than when most deceived. Then came the reaction, and it could not have come at a more fearful time; pestilence had been added to famine, and the darkest night of sorrow and despair loomed blackly around. The details of this famine are too shocking for humanity in this, the enlightened nineteenth century. We can all of us remember the sympathy in our own country; how we freighted a noble vessel with provender, and with what acclamations she was hailed upon her arrival in the Cove of Cork. But it may not be known or remembered that our confidence was misplaced; that the food carried out by the Macedonian fed only the government menials, or rotted in storehouses, while the people were starving on the door-steps. But this act of our people had its effects; the suffering Irish saw that republican America sympathized with them, and this gave new fire to their eyes, new vigor to their arms; they saw their wives and children dying at their sides while they could not aid them—endurance was no longer a virtue, and again they dared to lift voices and arms against their tyrant masters. Sectional differences of a religious nature interfered; the union, in which lies strength, they had not in their ranks, and again they were unsuccessful. This was the signal for breaking up the revolutionary parties. Mitchell and many of his colleagues were tried with packed juries, condemned as felons, and, by an act of *great leniency*, commuted from death, but transported to the hulks of Bermuda, and the penal colonies of Australia. Many of them escaped into this country; and the names of Joseph Brenan, John Savage, and Richard Dalton Williams, are rapidly becoming familiar to American ears.

We have alluded to the revolutionary parties, and in continuation of the subject, place the "Young Ireland" party at the head of the list. They were the great movers in the revolution of 1848, and were the anti-O'Connell party. To them the world owed the display of nationality and patriotism, for the late revolution was the "Young Ireland" insurrection; that party made it—it failed, and they alone suffered.

It was in the midst of such circumstances of desperate character, that Ireland was situated in the early part of 1842. The influence of Mr. O'Connell, instead of nerving the people to the firm resolve of breaking the chains which bound them, was ever winding about them links heavier and more galling. But the magic spells by which he held them entranced were wearing away; his eloquent declamation ceased to deceive them; his fallacies were detected by men of greater foresight than himself; and it was not long before an opportunity occurred to bring them before the

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people. To Thomas Davis this credit is mainly due. When, in October, 1842, the "Nation's" first number appeared, it seemed as though the slumbering people were at once roused out of their lethargy. The appearance of this journal was the commencement of a new era in the history of Ireland. It was mainly supported by the labors of Davis; from early morning until dismal midnight, in sickness and in sorrow, in penury and privation, he toiled on, having one great object constantly in view. Song and essay were sent to the press with like rapidity, ever inciting men to great deeds by reminiscences of the glorious past, stern pictures of the dismal present, and high prophecies for the hidden future. His labors were, to say the least, miraculous; it seems scarcely credible that so much good writing could have been effected by one man in so short a time.

We feel that the few extracts which our space will allow us to make, cannot convey an idea of the powers of Mr. Davis, yet we may show sufficient of that ability to incite readers to further researches.

The ballad of Fontenoy is one of the finest in our language—superior to Mr. Macaulay's Battle of Ivry; a little less of detail might, perhaps, have added to its effect, and the measure is one in which it is difficult to convey forcible expressions. It is no doubt a fragment destined to take its place in a work often recommended by Davis, for the joint labor of the "Young Ireland" poets, a ballad history of Ireland and the Irish.

We question whether a greater compliment was ever paid the English army than in the second verse of Fontenoy, where he says:

"Six thousand English veterans, in stately column tread,
Their cannons blaze in front and flank, Lord Hay is at their head;
Steady they step a-down the slope—steady they climb the hill;
Steady they load—steady they fire—moving right onward still,
Betwixt the wood and Fontenoy, as through a furnace blast,
Through rampart, trench, and palisade, and bullets show'ring fast;
And on the open plain above they rose, and kept their course,
With ready fire and steadiness that mocked at hostile force,
Past Fontenoy, past Fontenoy, while thinner grew their ranks—
They break, as broke the Zuyder Zee through Holland's ocean banks."

The art of Mr. Davis' compositions is most thoroughly manifested in this ballad; there is a constant rise as line succeeds line, and instead of falling away into nothingness, the last lines are superior in tone to their forerunners. We will extract the fifth verse as an instance of this:

"Lord Clare," he says, "you have your wish, there are your Saxon foes,"
The marshal almost smiles to see, so furiously he goes!
How fierce the look these exiles wear, who're wont to be so gay,
The treasured wrongs of fifty years are in their hearts to-day;
The treaty broken, ere the ink wherewith 'twas writ could dry,
Their plunder'd homes, their ruined shrines, their women's parting cry,
Their priesthood hunted down like wolves, their country overthrown—
Each looks as if revenge for all rested on him alone.
On Fontenoy, on Fontenoy, nor ever yet elsewhere,
Rushed on to fight a nobler band than these proud exiles were."

Second to Fontenoy, among the national ballads of Davis, we place "Celts and Saxons," which was written, as is stated in the volume before us, in reply to some very beautiful verses deprecating and defying the

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assumed hostility of the Irish Celts and the Irish Saxons. Its manifest intention is to reconcile those religious differences which have so long created internal disturbances among the people of Ireland; and the influence of Davis's poetry, we may here remark, tended greatly to this effect; but he had wise and wily men to work against—the priesthood on the one hand, and the dogmatical Church of England on the other. We extract two verses from this poem, the third and fourth:

"What matters that at different shrines
We pray unto one God—
What matters that at different times
Our fathers won this sod;
In fortune and in name we're bound
By stronger links than steel,
And neither can be safe nor sound,
But in the other's weal.

As Nubian rocks, and Ethiop's sand,
Long drifting down the Nile,
Built up old Egypt's fertile land
For many a hundred mile;
So pagan clans to Ireland came,
And clans of Christendom,
Yet joined their wisdom and their fame
To build a nation from."

We cannot avoid pointing out the irregular metre of the ballad entitled "Our Own Again;" the studied ear would quickly detect it, and might attribute it to ignorance of poetic rule, rather than to the true cause. One of the striking features of Celtic poetry is this very irregularity; and these verses, as well as most of Mr. Davis's, were written to accompany one of the ancient ballads, and is peculiar to his nation and indispensable to his purpose. In the last verse this peculiarity is most distinctly manifested, thus:

"Calm as granite to our foes,
Stand for Our Own Again;
Till his wrath to madness grows,
Firm for Our Own Again.
Bravely hope, and wisely wait,
Toil, join, and educate;
Man is master of his fate;
We'll enjoy Our Own Aga n.
With a keen, constrained thirst—
Powder's calm ere it burst—
Making ready for the worst,
So we'll get Our Own Again.
Let us to our purpose bide,
We'll have Our Own Again;
God is on the righteous side,
We'll have Our Own Again."

"Emmeline Talbot" is another very fine ballad—indeed, one of the very best it has been our good fortune to read. We regret that its length compels us to omit it; a very fine simile is conveyed in the following lines:

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"Looking around Barnakeel,
Like a tall Moor
Full of impassioned zeal,
Peeped brown Kippure."

Wherever disaffection seemed most rife, and led to passive inactivity or open repudiation of nationality, to that point the poet directed his efforts. If any class, or any portion of the people refused to countenance the rebellion, his pen sought to bring them under the banners of his party; as in the poem, "The West's Asleep:"

"When all beside a vigil keep,
The West's asleep, the West's asleep—
Alas! and well may Erin weep,
When Connaught lies in slumber deep.
There lake and plain smile fair and free,
'Mid rocks—their guardian chivalry—
Sing oh! let man learn liberty
From crashing wind and lashing sea."

Several of Davis's love poems are exquisite productions, particularly "The Welcome," with which we must close our extracts, reluctlantly, for there are many more poems as fine as the preceding, which we have not even named. But Mr. Davis's volumes are now before the public, and we trust they will be extensively read. The following is the poem to which we have alluded:

"Come in the evening, or come in the morning,
Come when you're looked for, or come without warning,
Kisses and welcome you'll find here before you,
And the oftener you come here, the more I'll adore you!
Light is my heart since the day we were plighted,
Red is my cheek that they told me was blighted;
The green of the trees looks far greener than ever,
And the linnets are singing, "true lovers! don't sever."

I'll pull you sweet flowers, to wear if you choose them;
Or, after you've kissed them, they'll lie on my bosom;
I'll fetch from the mountain its breeze to inspire you;
I'll fetch from my fancy a tale that won't tire you.
Oh! your step's like the rain to the summer-vex'd farmer,
Or sabre and shield to a knight without armor;
I'll sing you sweet songs till the stars rise above me,
Then, wandering, I'll wish you, in silence, to love me.

We'll look through the trees at the cliff, and the eyrie,
We'll tread round the rath on the track of the fairy,
We'll look on the stars, and we'll list to the river,
Till you ask of your darling what gift you can give her.
Oh! she'll whisper you, "Love as unchangeably beaming,
And trust, when in secret, most tunefully streaming,
Till the starlight of heaven above us shall quiver,
As our souls flow in one down eternity's river."

So come in the evening, or come in the morning,
Come when you're looked for, or come without warning,
Kisses and welcome you'll find here before you,
And the oftener you come here, the more I'll adore you!
Light is my heart since the day we were plighted,
Red is my cheek that they told me was blighted;
The green of the trees looks far greener than ever,
And the linnets are singing, "true lovers! don't sever."

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From these extracts, few though they be, the reader may form some judgment upon the merits of Thomas Davis as a poet; and we have but a few remarks of our own to add.

When it is remembered that Davis had *never written poetry* until the establishment of the "Nation" newspaper in 1842, but had been looked upon only as a clever and promising young barrister, and also, that his literary labors were confined to the space of three years, from the starting of that paper to the time of his death—men must wonder at the monument he has reared, at the display of a fertile and uncommon genius; it is one of those remarkable facts that we sometimes, though seldom, find in the history of literature. He did not in his younger days write *weak poems*, and gain vigor and beauty by the exercise of his mind, and the advantages of free criticism. He was the poet of the occasion; and when the necessities for using his faculties occurred, he

"Sprang forth a Pallas armed and undefiled."

The germs were in him, the fire was latent, and needed only the development; the time came and found him ready. A great labor was to be performed—a down-trodden nation was to be raised from the ashes of its own fire; and the pale student of Trinity College, the modest barrister of the Inns of Court, became a leader in the cause of liberty. It does credit to his judgment when we say, that he saw one of the greatest means of awakening the minds of his countrymen was to be achieved by poetry which should call back memories of the past, and weave a glorious woof for the coming time. To that aim his labors were directed; day and night he was ever at his desk, never murmuring, never lagging, but always steadily pushing forward to the accomplishment of his great design. He lost no moment of his time, but every day the press teemed with the productions of his fertile brain; and from the north to the south, the east to the west, men blessed the name of Davis; and while burning tears rolled down cheeks sunburnt with exposure and sunken with want, they swore that his design should be fulfilled, and their country righted.

Many of his poems bear marks of haste, but this is not to be wondered at. They were not the offsprings of that plodding labor which ponders over every line, and refines each expression; they were written in the whirl of excitement, with a throbbing heart and a burning brow; written in the night—and the moment a page was filled, sent to the press without revision and without correction. When these facts are considered, we feel assured that all will agree with us in saying, that Mr. Davis was a great poet, and one of the brightest lights which shone upon the world during the first half of the nineteenth century.

[To be continued.]

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POLITICAL PORTRAITS WITH PEN AND PENCIL.

PIERRE SOULE, OF LOUISIANA.

"Si quelque chose peut me consoler de la perte immense qui j'ai fait le jour où j'ai été obligé de quitter la France, c'est l'idée qui j'ai maintenant pour patrie le seul pays du monde qui peut dignement la remplacer."—*Speech of Pierre Soulé at the Public Dinner given to him in New-York, March 13th,* 1847.

On the 22d of February, 1847, the Senate Chamber at Washington indicated some approaching event of unusual interest. There was the rustling of silks, the waving of fans and feathers, and the hum of low voices from the fair crowd in the galleries, while below, the space unoccupied by the persons of distinction admitted to the floor, was filled by the most eminent members of the House. Pierre Soulé, the new Senator from Louisiana, appointed to fill the vacancy caused by the death of Mr. Barrow, was to-day to make his maiden speech. Having already acquired a brilliant local reputation in the legal profession, he was now for the first time to take part in the legislative councils of the country, and the result might determine whether this local reputation was hereafter to expand into a national one. The moment of making such a debût, is one of the most important in the life of a public man, and a moment in which many, gifted with great genius, have utterly failed. Thoughts elaborated in the silence of the closet, and given to the world in the form of books, are to those that fall upon the hearts of the multitude from the lips of an impassioned speaker, what a painted portrait is to the living face it represents, and the ability to write eloquently by no means implies the ability to speak eloquently. The power of oratory differs from all other intellectual power in this, that its highest charm is in a certain subtile influence or fascination which lies beyond the thought, and which can only be communicated by the orator himself. It may not consist alone in the grace of his gestures, the music of his voice, or the magnetism of his eye, yet certain it is that he alone can "strike the electric chain wherewith we're darkly bound;" and hence all records of eloquence can give us only its shadow. The secret of this power that gives to one man such control over multitudes, is one of the unexplained mysteries of our nature, and the possession of it is one of its highest gifts.

In regarding Mr. Soulé, even before he rose, the casual observer could not fail to predict his success, possessed, as he is, of all the external requisites to attract attention and interest. His head is one to delight the eye of a sculptor. Its massive and symmetrical proportions indicate imagination and all the superior faculties, and over it hangs in picturesque luxuriance his long, jet black hair. His rich Spanish complexion; his piercing eyes, where smoulders the fire that can kindle and melt; his strictly classical features, that would be severe but for the smile of great sweetness that occasionally irradiates them; above all, that dignity and eloquent repose of manner, the result of a consciousness of power—all render Mr. Soulé one of the most striking and distinguished persons in appearance in the Senate.

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It will be remembered, that it was during the Mexican war that Mr. Soulé first took his seat in the Senate; and the causes of this war, its character, and the means by which it was to be concluded, formed the subject of his first speech, which was listened to for three hours with profound attention and interest. He entered into a history of the claims of France, Spain, Mexico, and the United States to Texas, and triumphantly vindicated the President from the charge made against him, of having brought on the war. His intimate knowledge of the country, the people, and the government of Mexico, gave additional weight to his plans for carrying on or terminating the war, which differed widely from those of Mr. Calhoun, Mr. Cass, and others. The speech was pronounced by all to be one of the best that had been delivered during the session; and at the conclusion, the orator received the warmest congratulations of his friends on both sides of the house, the approbation of the press throughout the country, and a public dinner was given to him by the French citizens of New-York.

On seeing thus an adopted son of our country, a foreigner both by birth and education, a stranger to our language even until after he had reached the age of manhood, occupying so distinguished a place in the Senate of the United States, a desire naturally arises to know something of the past history of a life now so identified with the sentiments and the interests of the country.

Pierre Soulé was born at Castillon in the Pyrenean Mountains, during the first Consulate of Napoleon. His father had served in the republican armies, and rose, by his merit alone, to the rank of Lieutenant-General. He afterwards laid aside the sword, and returned to his native mountains, where he became the judge or administrator of justice, among the simple and patriarchal people who still retained their ancient manners and habits. This office had been hereditary in his family for many generations, the head or chief occupying a position somewhat similar to that of the Scheik among the Arabs, aiding by his wise counsels and controlling by his paternal authority the inhabitants of the little community in which he lived. Thoughtful beyond his years, the young Soulé was often the companion of his father while engaged in discharging the duties of this primitive government; and it was here that the great principles of justice and equality were presented to his mind, and early formed the basis of his serious and elevated character.

It is still the custom, in the south of France, for the father to select from among his children the most intelligent and promising, and devote him to the service of the Church. In this case, the choice fell upon the young Pierre, and in 1816 he was sent to the Jesuits' College at Toulouse. The fathers did not fail to remark and appreciate the abilities of the young student, and to hold out to him high hopes of distinction and preferment; but the young mountaineer had breathed the air of freedom too long, and resisting the allurements of sacerdotal power and braving the anger of his father, he withdrew from the College. He was afterwards sent to Bordeaux to complete his studies; but here, reading of the heroes of Homer and Virgil, did not satisfy the aspirations of him who felt the power to become one himself; and accordingly, at the age of fifteen years, we find him taking part in a conspiracy to overthrow the newly reinstated Bourbons. The plot was discovered, and the young conspirator was obliged to fly. Disguised and on foot, after a series of adventures, he at length found refuge in a little village of Navarre, where, concealed for more than a year, he

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followed the quiet occupation of a shepherd. He rose with the dawn of day and led his flocks to pasture; and while they roamed quietly around him, he studied the trees, the flowers and the minerals; or, abandoned to poetic reverie, he gave himself up with enthusiasm to the emotions inspired by the magnificent scenery around him. Here, in the shadow of the Pyrenees, with only the mysterious and ever-changing sky above him, and Nature in her wildest and grandest forms around him, he listened to those voices that are only audible in the silence of such solitudes, and which, when once heard, are never afterwards wholly stifled, even in the whirl and confusion of active life. In this communion, with the beautiful and sublime scenes of Nature, the soul is elevated to a higher region; it approaches God and the invisible world more nearly; and having once reached this elevation, it can never again sink to its original level. After a year thus passed in intimate companionship with Nature, though exiled from the world, Mr. Soulé was permitted to return to Bordeaux, where he became professor in one of the institutions of that city. Endowed with the rare faculty of interesting his pupils, and although of their own age, of commanding at once their respect and affection, the professorial chair of a provincial city was too quiet a position for one so eager to take his place in the arena of active life; for one who would

> "In the world's broad field of battle
> Be a hero in the strife."

For such a spirit, Paris was the only theatre. Thither he went, and while he was here able to secure an honorable independence by another professorship, he found time, amid all the gayeties of the capital and attractions of society, to devote himself to the higher studies of science, philosophy, and law.

In 1824, he published many articles in the leading journals of Paris, which attracted the attention and gained him the esteem and favor of the most distinguished leaders of the liberal party. It was about this time, in conjunction with Barthelemy and Mery, who have since gained such celebrity, that he engaged in the publication of a paper which advocated the most liberal republican sentiments, and fearlessly hurled its sarcasm at the throne and the Church. His attacks on the course of the government, and his exposition of the principles and designs of the Jesuits, took effect, and the ministry required that the offender should be given up. His friend, Charles Ledru, undertook the defence, and appealed to the clemency of the court in behalf of the prisoner, in consideration of his youth. The proud and fiery spirit of Soulé burned with indignation at this attempt on the part of his advocate to mitigate the impending sentence by the implied abandonment of the principles he had so nobly adopted and so fearlessly maintained. He instinctively rose from his seat, and in a burst of the most impassioned eloquence, he denied the criminality of his opinions, while, at the same time, he assumed their responsibility; and, defending the rectitude of his conduct and the truth of his sentiments, he displayed, for the first time, to his friends as well to himself, the possession of those qualities which go to make the orator. This speech was reported next day in all the leading papers, with such comments as were calculated somewhat to console the author in the cells of St. Pelagie, to which he had been sentenced. By the aid of Barthelemy, he at length succeeded in making his escape to England, whence he intended to take passage in a ship bound to the republic of

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Chili, where the situation of private secretary to the President had been offered to him. Scarcely had he landed in England, however, when he learned that the ship had been forced unexpectedly to sail, and that the place he had hoped to occupy had been filled by another. Alone in a strange country, and wholly ignorant of the language, it is not astonishing that the young exile should prefer the roof of his prison in Paris to the sombre skies of England; he, therefore resolved to return, saying, perhaps, with Joscari—

> "My native earth
> Will take me as a mother to her arms—
> I ask no more than a Venetian grave,
> A dungeon, what they will, so it be there."

The dungeon, however, was not to be his destiny. On landing at Havre, he was startled by the salutation of a friendly voice, the first that had fallen upon his ear since he left France; and on turning, he found himself beside his friend Baudin, then captain, and since admiral in the French navy. Advised of his intention to return to St. Pelagie, the good captain remonstrated, reminding his young friend that England was not the only free country, and earnestly advising him to seek a temporary asylum in the United States, from which he would return not the less devoted to liberty, and with an experience that would make him more useful to the good cause. He offered him a passage in his ship, about to sail for St. Domingo, from which he could easily reach the United States, and urged his immediate departure. This was one of those decisive moments in life which determines the future destiny. Casting his eyes along the western horizon, young Soulé seemed to see rising in the dim and uncertain distance, a new star in his horoscope; a new future, a new world, lay suddenly before him, and four hours after saw him sailing towards it, and watching from the deck of the vessel the receding shores of France. He arrived at Port-au-Prince in September, 1825, and was received with great distinction by President Boyer, to whom the famous Abbé Gregoire had recommended him. Finding here no field for his enterprising spirit, he took passage for Baltimore, where, soon after landing, he became acquainted with some gentlemen from New-Orleans, who interested themselves in his plans and fortunes, and advised him to make that city his future residence. He arrived there late in the autumn of 1825, with his slender resources exhausted, but with his energy, courage and enthusiasm unimpaired. Finding a knowledge of English essential to his advancement in the legal profession, he resolved to go into the interior of the country for the greater facilities of acquiring it; and, furnished with letters of introduction to General Jackson, he was for some time his guest; "and it was under the hospitable roof of the hermitage," says the writer of a sketch of Mr. Soulé, "in the house of the great leader and champion of democracy, that the most eloquent orator of that party in Louisiana uttered his first words of English." On parting with his venerable friend, he went to Bardstown for the purpose of continuing his studies in English; here a dangerous illness overtook him, under which he languished for many weeks. As he slowly recovered, finding his resources again exhausted, and unwilling to avail himself of the proffered kindness of his friends, even during the period of his convalescence, he sought refuge in the Convent at Bardstown, on condition that the brothers should permit him to take part in their labors. Accordingly, during many hours of the day he

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devoted himself to the cultivation of the garden that supplied them with fruits, vegetables and flowers; and during those that remained, he was occupied in the study of English. On returning to New-Orleans, he underwent his examination for the bar in that language, and was admitted.

His first appearance in public, as a lawyer, was on the occasion of a celebrated trial, in which, although opposed by the most distinguished counsellors of the state, he succeeded in gaining the case. This was the beginning of a career of the most brilliant successes and the highest honors. His marriage with a beautiful and accomplished young Creole, and the birth of a son, attached him still more strongly to Louisiana, and fame and fortune soon crowned the exercise of those talents that had been nursed in solitude and strengthened by adversity. It would seem that those whom Providence destines to play any conspicuous part in the events of the world, it prepares beforehand by a long novitiate in the school of misfortune. Here, those latent energies of character are forced into action, that otherwise might remain dormant, and the fortitude to endure becomes equal to the courage to dare.

In 1849, Mr. Soulé was again elected to the Senate; and in the stormy and protracted session that followed, he took an active part as a representative of the interests of the South; and since the death of Mr. Calhoun, he may be considered the leader of that party in the Senate. In the California question, it was regretted by many of his friends that he did not give his support to the compromise measures, so strongly advocated by Mr. Clay and others. Mr. Soulé, however, urged the adoption of that plan of adjustment, known as the Missouri compromise, and he defended it in an able speech, which was characterized by extraordinary ability, acumen and eloquence. His propositions were stated with such clearness and precision, and illustrated and supported with such persuasive reasoning, that they commanded the respect and admiration even of his political opponents. In the peroration, he introduced the episode of his own career from the moment when tyranny found a victim in the person of the young champion of liberty, passing through the struggles of aspiring manhood up to the period of his present elevation, declaring that he, the exile, whom our country had thus received and cherished, could take no part in any conflict which threatened her safety. Every breath was hushed in the Senate, and when the orator uttered his closing admonition, "Justice to the South if you would have perpetuity to the Union," there was a spontaneous outburst of hitherto repressed applause, that seemed too merited to be regarded as an indecorum.

Mr. Soulé has been accused of maintaining sentiments hostile to the Union; and when, at one time, Mr. Clay made some intimation to this effect, he sprang to his feet, and, in a tone and attitude that startled the Senate, proclaimed, that he had never uttered such an opinion; "never!" said he, "no; not if the South were beaten at every point, and the North completely triumphant in this legislative contest, I would not then begin to think of disunion—the people do not think of it." In defiance of the hammer of the dignified Vice-President, the galleries rang with applause. Mr. Soulé, while an ardent friend of the South, and maintaining, with undaunted courage, her rights, as he understands them, is yet, at heart, a true American; and, it is not strange that he should repel, with some warmth, the insinuation of his holding disunion sentiments. Born under any government, reared under any circumstances, Mr. Soulé would have

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been a democrat. His political principles are not the result of accident, study, or education, but of his originally noble nature; of his deep sympathy with human suffering; his scorn of all oppression; his stern sense of justice, and his unbounded goodness of heart; and it is to the possession of these qualities, as much as to his great talents, that he owes his brilliant success.

Had Mr. Soulé remained in France, he would have played a conspicuous part in her recent revolutions. Familiar with our history and institutions, acquainted with our constitution and laws, both theoretically and practically, should he choose hereafter to return to his native country, he would, doubtless, there find ample scope for his highest aspirations, in aiding to control the troubled elements that have, for so long, agitated and distracted France. But he has become now thoroughly Americanized, and our country, proud of her adopted son, has yet much to offer him.

At the bar, Mr. Soulé is distinguished as much for his originality as for his ingenuity. Having studied his cases with the most careful and persevering attention, and placed himself at a point from whence he can overlook the movements of his adversary,—watching for the favorable moment, he concentrates his powers, and is sure, at some place, to force a breach through the enemy's lines. But it is as a pleader in criminal cases, that Mr. Soulé has gained his greatest laurels in the legal profession. His keen observation and rteady wit, his intimate knowledge of the human heart, and the great sympathetic power he possesses, to appeal to it, and to move it, give him unbounded influence with a jury, which he seems to subjugate at will. The style of Mr. Soulé's eloquence is logical, earnest, and impassioned. His fine face, eloquent as his language, changes with every varying thought; and his eagle-eye flashes, or softens in expression, as he would kindle or subdue. His gestures are graceful and spontaneous, and his French accent gives an irresistible charm to his pure and choice English.

Mr. Soulé is endowed with a rare combination of qualities, seldom found united in such strength in a single character: of the perception that discriminates, the judgment that reasons, and the imagination that creates; and all these elements are fused or blended by that fine sensibility to everything beautiful, generous, and noble, which, for want of a better name, we call sentiment. With a taste for the fine arts, that should have made him an artist; with a love and appreciation of poetry, that should have made him a poet; at home, in the higher walks of science and philosophy, with a brave and enthusiastic spirit that would lead him, like Cortez, to adventure and conquest; and possessing a power over the masses that would make him the Mirabeau of a revolution; he yet pursues the even tenor of his way, representing the interests of his state, in the Senate, with dignity and honor; or quietly pursuing the upward path in his professional life, while the unused energies of his nature remain quiet.

But our brief sketch would be imperfect if we failed to speak of Mr. Soulé in private life, which, after all, is the truest test of the character. The public and private lives of distinguished men not unfrequently offer the most painful contrasts; and the hero to the eye of the world, is often quite the reverse to his family and immediate friends. Mr. Soulé, it may be, looks abroad for distinction, but he seeks his happiness at home. There, at work in his garden, or presiding at his hospitable board, surrounded by his family and friends, who regard him with the most affec-

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tionate reverence, he preserves something of the patriarchal simplicity of his own early life. His only child is a son of great promise, whose tastes seem to incline rather to literature and the arts than to the more exciting scenes of political life. He has, however, other adopted children. Perhaps he knows that the fountain of youth is kept unexhausted and flowing when it lies open to the sweet influences of childhood; that "Heaven lies about us in our infancy;" and that, in later years, by cultivating the society of children, some gleams of it are reflected into our own souls.

In society Mr. Soulé is not less distinguished than at the bar or in the senate. The elegance of his manners, the brilliancy of his conversational powers, his deference to others, as much the result of his kindness of heart as of his high breeding, his blended affability and dignity, would lead one to pronounce him pre-eminently a man of society, did not a certain presence or prestige that always accompanies him, indicate, that although he may adorn the saloon, his true sphere lies in the higher regions of thought and action.*

UNION.

Go—pierce the bosom whence ye drew warm life—
  Thrust from your hearth the hoary-headed sire—
Ere ye plot treason with its horrors rife,
  And for our Union light a funeral pyre!
  But is there danger? who would thus conspire?
Look round—the *people's* earnest hearts are true—
  There is no spark of discontent to fan—
    They are not maddened by yon brawling crew.
    Each day's industry brings to light some new,
Some binding interest, which, unknown before,
  Makes man more conscious of his fellow-man.
So shall it be—and yet our Eagle soar,
  Until a hundred States join hands from shore to shore.

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* The writer of this sketch is indebted, for the principal facts it contains, to a little work entitled *Biographie de Pierre Soulé. Par Alfred Mercier. Paris:* 1848.

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FINANCIAL AND COMMERCIAL REVIEW.

THE ease which has been apparent in the money market during the last three years was interrupted to some extent by the sudden contraction of the New-York banks towards the close of July, and money rose to 12 and 18 per cent. per annum on good paper. The pressure, which was very severe for a time, grew solely out of the caprice of the banking institutions, and is a legitimate result of the arbitrary control which those corporations have over the value of other men's property. The returns of the city banks for several quarters are as follow:

	Loans.	Specie.	Circulation.	Deposites.
December, 1848,	$41,993,453	$5,850,424	$5,783,398	$21,443,148
December, 1849,	43,521,441	7,169,016	6,013,748	28,868,488
December, 1850,	65,454,349	11,002,800	6,955,829	40,555,990
March, 1851,	66,610,268	7,970,259	7,317,928	38,174,656
June 30, 1851,	71,953,514	7,985,954	7,118,376	41,138,757

In these figures the increase of loans in this city from the close of 1848 to the close of June, 1851—viz: during thirty months—was thirty millions of dollars, or one million per month paid out by the banks more than they received. This paper so discounted runs from thirty to ninety days, and may average sixty days, in which case $1,200,000 are due at the banks every day by the city merchants. The means which these possess to meet those liabilities are mostly notes for goods sold; and to make those notes available, they must, under our system of doing business, procure discount. If the banks utterly refused to discount, and the merchants could procure money from other sources, the entire loans of the banks would be liquidated in sixty days, and all demand for money would cease. That is, however, an impossibility. No doubt nearly all the paper held by the merchants is sound, and will be paid as it matures, and the avails would enable them to discharge their debts to the banks; but the latter mature first, and good notes or merchandise must be sold at any sacrifice to obtain the means of meeting the matured obligation. For the last thirty months the banks have sedulously encouraged the creation of obligations to them. They have discounted nearly $50,000 per day more than was paid into them—that is to say, where they received $1,200,000 they paid out $1,250,000, which involved a larger payment to them at the end of sixty days. Under these circumstances, goods have been purchased for notes and sold for other notes with perfect facility. Values have improved, prices advanced, and trade been nominally profitable. All at once, without sufficient reason, the banks suddenly refuse to discount, and all the supposed profits of dealers are sacrificed to meet obligations to the banks. The notes which the merchants held as cash to apply to their obligations become valueless at the mere bidding of a board of directors. The reason given is, that specie is too freely exported, although the institutions hold more than ever. The true motive is, however, to compel the merchants to pay

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higher interest, which has advanced from six per cent. to seven per cent.; and this difference in the interest on the loans makes a difference of two and a half per cent. upon the bank capital, besides the profits which the directors and their friends in the secret may make by selling stock short and purchasing goods. This effect is thus accurately described by Lord Brougham in a parliamentary speech—for the operation of banking is the same everywhere:

"It is monstrous, my lord, that any man or body of men, corporate or otherwise, should have the power of making money cheap or dear at will, combining the office of regulator of the national currency with that of bankers—that they should be both the money-makers and the money-lenders—that they should have the privilege at any one period of inundating the country with an immense amount of paper currency, thereby stimulating speculation as well as trade, raising prices and profits; and at another period drawing in their rags, screwing up all legitimate sources of credit as well as capital, and thereby lowering prices and wages, and diminishing profits, producing a stagnation of trade, ruining merchants and manufacturers by hundreds, and spreading misery and wretchedness among thousands."

It will be observed that "making money cheap" should not be taken in its limited sense of the mere emission of their own promises on demand: that has had a small influence comparatively. Thus, suppose a merchant has this month to pay $100,000 into bank on matured notes: his bill-book shows for means $125,000 of choice notes, such as the banks have been in the habit of discounting freely, and he has taken those notes for goods because the *custom of the banks has made them money*. By a sudden resolution of the irresponsible board they are no longer money, or available as such only at a great sacrifice. Thus $100,000,000 worth of notes held by city merchants is, at a mere whim of half a dozen cashiers, made unavailable for the payment of debts, and will lose perhaps one-fifth their value if holders are forced to realize. It is in this view that the banks exercise the greatest power in making money scarce and depreciating the profits of individuals.

The avowed object of the curtailment is to prevent certain houses from exporting specie, and it has had this effect to some extent. The exports of specie from New-York for eight successive weeks, was as follows:

Week ending July	5	$2,053,295	August	2	655,571
"	12	306,544	"	9	162,020
"	19	2,189,364	"	16	902,794
"	26	1,099,191	"	23	187,627
Total,		$5,648,394			$1,908,012

Thus the export declined nearly one million per week, while the receipts of California gold continues large, and the payments from the country good. The demand for money has continued good, and the rate pretty high on paper, even for the best names, but is become abundant now on good stocks "on call" at seven per cent. When the banks, as now, are curtailing, that is to say, discount less than their receipts, a great struggle is required on the part of the dealers to get the means of meeting their liabilities; but they get it in some way. The ac-

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counts and notes due them mature, and means flow in, which they apply to their maturing paper, and place the surplus on interest at call, until they are through the pressure, and the disposition to reinvest returns. It is always thus that returning case manifests itself first in a better supply "on call," and gradually imparts itself to other branches of financial operations. When money has been for a long period cheap, elements have operated to send it away where it is better employed. A rise in the rate of interest changes the current and brings money back. The pressure is always most severe when the rise suddenly takes place, because time is required to put in operation the elements which tend to ameliorate the market.

When the wheels of an advancing locomotive are suddenly reversed, time is required to check the momentum in one direction and to "gather way" in the other; when the tide running out has reached the ebb, a period of slack water precedes the flow. It is peecisely so with the value of money or any other commodity; cheapness leads to scarcity, and consequent dearness is the precursor of abundance. Where resources are in such vast abundance as now exists in this country, means of payment are not wanting, and a little energy in the demand for payment brings forth ample means.

It has been remarked, that the bank loans indicate an inflation equal to that of 1836, and that consequently a similar revulsion may be expected. Such persons overlook the corresponding productions of the country. A financial crisis may be generated, and frequently is, by high tariffs, but people may contract debts which they cannot pay under a low tariff. They are, however, far less likely to do so under our banking system than when regular business is interrupted by government interference. The high tariff of 1828, by checking regular business, caused money to accumulate in banks, and to be by them loaned to speculators, from which grew up the great bubble which burst in 1836–'37. In those years speculation had taken the place of regular industry, produce became scarce, and large purchases of goods were made and sold on credit, and these credits inflated prices so much that 3,500,000 bushels of wheat were imported into the country. There was nothing behind the credits. The bank loans were large, because they represented nothing. This is not now the case. The receipts of produce are immense, and prices not speculative, but low.

In order to show the difference between the state of affairs now and in 1836, we take a table from official returns of the tons of produce, and the value, which came to the Hudson River, per New-York canals, in 1836 and 1850, the state bank loans at the close of the year, and the imports at the port:

	Tons.	Value.	Per ton.	Bank loans.	Imports, goods.
1836	696,347	$26,932,470	$38 75	$79,313,188	$115,178,960
1850	2,033,863	55,474,637	27 25	104,294,082	105,400,589
Increase	1,337,516	28,542,167		24,980,894	
Decrease			11 50		9,778,371

There has been a less quantity of goods imported, and the exports of domestic produce are nearly $10,000,000 greater in value. But the prices of 1836 were very high. Thus, of the tons that reached tide-water, 124,000 were flour, at $7 90 per bbl. In 1850, 461,000 tons were flour, at $4 37 per bbl. Thus,

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in 1836, 10,000 bbls. of flour represented $790,000 of bank loans. In 1850, the same quantity of flour only represents $437,000 of bank discounts. The same amount of bank discounts now represents three times as much property, at prices which make it readily available. If the inflation now was as great as in 1836, the bank loans should be over two hundred millions. But it is not so. The public works of the interior bring down immense quantities of produce, unchecked by speculation, amply sufficient to pay twenty times our foreign debt.

The state of affairs abroad promises a larger and continually expanding market for our produce, and consequently that the profits of our western land cultivators will annually increase.

The effort recently made in the French Assembly to do away with the monarchical system of protection, met, of course, with opposition from those who represent the protective interests, as opposed to the welfare of the people at large. Among these M. Thiers was conspicuous. He made a speech which, without containing anything new, or possessing much clearness of demonstration, was nevertheless regarded as a brilliant effort. Persons of practical mind will, however, find it difficult to reconcile the statements so as to merge them into a continuous argument. After showing to how great an extent corn is protected under the present law of France, the honorable gentleman remarked:

"But agriculture could only be *benefited by selling its corn dear.* * * * The possessors of land in England and in France were not of the same description. The former were a rich class, *being in fact the aristocracy, and able to support, to a certain extent, the change which had been introduced into England;* but in France the people were the landowners, each with a small parcel of ground belonging to himself, and the whole mass constituting the aristocracy of the country. *These latter were not such a class as could support the sacrifices consented to in England by her powerful aristocracy.* In England, at present, it was found necessary to import each year nearly 30,000,000 hectolitres of corn; but, as she was a maritime power, she made up, to a certain extent, for that immense necessity of importation."

The first proposition is true, viz: that agriculture must sell its "corn dear." But "dearness" is a relative quality. Now, he says that the aristocracy of England submitted to "sacrifices" in consenting to legislation which produced the present prices, and that the producers of France are not able to submit to such *sacrifices.* He then says England imports a large quantity of corn. That is true; and why? Because corn is *dearer* in free-trade England than in protected France. Why does any nation import an article of foreign production? Because the merchants who effect the importation buy it cheap abroad, and sell it dearer at home. In 1849 England imported flour as follows:

	Cwt.
From France - - - - - - -	1,012,865
" United States - - - - - -	1,883,284
" other countries - - - - - -	130,305
Total imports of flour - - - - -	3,026,454

The English landholders submit to the "sacrifice" of selling their corn at a price higher than the "poor landholders of France," by the profits of dealers added to the cost of transportation. The English farmer gets on the spot, with-

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out cost, a price for grain which the French farmer can get only at great outlay of money and transportation. Yet M. Thiers alleges that the Englishman submits to a sacrifice which the Frenchman could not afford.

Why is it that the removal of duty comparatively benefits the English farmer? Because the general reduction in all protection enables the worker to get more food and clothing for his labor, and there is, consequently, more demand for necessaries. England, in 1844, imported less than three million bushels of corn, and that was sufficient with her own supplies to feed her people. In the last two years she has imported 40,000,000 bushels per annum, and that amount has been requisite to meet the increased consumption of the people.

Again: in the matter of flour, free-trade England drew one-third of her supplies from France, where corn is highly protected, and two-thirds from the United States, where the trade is entirely free. In free-trade England, flour is uniformly dearer than either in protected France or free America. The reason of this is very simple: In England the cost of the home article is kept at a high level by the high rents and incidental expenses of lands, from which an idle aristocracy draws $25 to $50 per acre, through the industry of the occupiers. In the United States and France the occupiers are owners. They pay no rent; and although in the latter country mortgages and taxes swell the cost of production above that of the United States, rent of land is not added. In the United States the freshness of the land and the use of improved machines diminish the cost of production, while increased means of transportation lessen the cost of the articles in the market. In France, republicanism requires that industry should be protected by diminishing its burden. The monarchists, like M. Thiers, and the protectionists, have no thought of remitting a dollar of taxes, but play off the quackery of protection in order to make continued taxation palatable.

It is when the people of a country *consume* more of the produce of their own labor that their prosperity is greater. Take cotton in the year 1850. The quantity of cotton consumed in the United States was reported at 598,269 bales, which, at 400 lbs., gives 237,307,600 lbs., or very nearly the quantity consumed in Great Britain in 1832. Under the protective system, at the usual estimate of three yards to the pound, the produce in the two countries, with the quantity exported, will stand thus:

	Pounds consumed.	Equal to yards.	Yards exported.
England, 1832	259,412,463	778,237,389	688,044,503
United States, 1850	239,307,600	717,922,800	94,888,480

The number of yards exported from the United States is not given officially, but the value in 1850 was $4,744,000; which, at twenty yards to the dollar, gives the number of yards in the table; from which, if we deduct the yards of foreign manufacture consumed, there remains nothing. So that while England *exported* 90 per cent. of her production, the United States *consumed* the *whole* of an equal quantity produced. The progressive consumption of cotton in the United States is thus displayed:

	Cotton consumed, pounds.	Value exported.	Value imported.
1842—'46	593,390,400	$13,995,739	$43,172,559
1846—'50	1,123,218,800	19,468,178	64,931,291
Increase	529,828,400	5,472,439	21,758,732

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Thus, then, the quantity of raw cotton taken for consumption has increased 70 per cent., the import of foreign cotton 50 per cent., and the export of domestic cotton 40 per cent. In the four years of the present tariff, therefore, the consumption of cotton goods has increased in the United States probably to nearly as great extent as iron, of which the consumption of the home-manufactured article has increased, perhaps, more than any other. In the United States the freedom from internal restraints upon intercourse, and modified restrictions upon foreign trade in the last four years, have permitted the people—the workers—to consume a larger portion of the products; and it was hoped from the revolution that France would experience also a commercial emancipation, which should, by permitting her people to consume more, and capital and officeholders less, confer greater remuneration upon every branch of industry. That this will be the case—that France, under universal suffrage, extended education, and commercial emancipation, will become an important customer for United States produce—there is every hope.

MISCELLANEOUS.

INCUBATION.

Montgomery, Orange Co., N. Y., July 25th, 1851.

Messrs. Kettell & Moore.—Gentlemen,—A singular fact has just come to my knowledge, respecting which I desire to make some inquiries through your valuable and widely-circulated periodical. In three instances, different gentlemen in this neighborhood procured settings of turkey eggs, and put them under common domestic hens for incubation. Each was successful in raising a brood of turkeys, and each fancied he had thus obtained a permanent stock of this desirable bird. They were disappointed; for although the turkey hens of the broods thus hatched, laid settings of eggs, and sat upon them with customary regularity, not a chick was produced. Not suspecting any thing wrong in the birds, the same stock was kept, and continued to lay and set, but always with the same mortifying results. The gobbler belonging to one of the gentlemen was very indifferent to the hens; but the gobbler of another was vexatiously salacious. I have no information respecting the gobbler of the third. Failing to get young turkeys, each of these gentlemen disposed of his gobbler hatched under the domestic hen. and procured a gobbler hatched under a turkey hen, and their flocks have become prolific; or rather the flocks of two of them; the third having his hens now brooding on eggs, after he obtained a new gobbler, having in vain tried to obtain an increase by his hen-hatched gobbler.

It has generally been believed, that the only object of incubation is to obtain the requisite degree of heat, which is about 100 F.; and, consequently, that the eccaleobion will produce chicks as vigorous and as fertile as natural incubation. The above cases prove, as conclusively as three cases can prove, that something is imparted by the brooding parent besides the requisite heat. The determination of the blood in the incubating parent, from the genital organs to the abdominal teguments, appears not to have been designed exclusively for the increase of temperature, but also for imparting the requisite, and, perhaps, *the specific*, vis vitæ to the chicks. But I must refrain from inferences, until the fact shall have been more fully established. Its importance to the physiologist and naturalist is apparent.

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The object of this communication is to obtain, through the medium of your extensively circulated publication, as many facts as possible in respect to the above interesting subject. The eggs of ducks and geese are often hatched by the domestic hen; but I have not heard that the fertility of the progeny is impaired by the unnatural incubation, though from the facts disclosed by the three above undoubted instances of infertility from this cause, I strongly suspect it.

Let me call the attention of your readers to the importance of being very particular in what they may have to say on this subject. It is not to be supposed that the hens were not affected, as well as the gobblers of the same blood, because they became fertile by the introduction of a gobbler produced by natural incubation. Nor is it to be taken for granted, that, because they have beome thus fertile, the progeny thus produced have the full natural vigor necessary for a continued stock. They might require to be recrossed at certain periods by unimpaired stock.

Very respectfully yours,

W. F. Van Amringe.

OUR PORTRAITS.

The daguerreotypes from which several of our best portraits have been engraved were furnished by J. H. Whitehurst, whose elegant galleries in this and other cities have attracted deserved attention. Mr. Whitehurst's portraits are marked by clearness and vigor; every line seems to be brought forward true to nature, and even the expression of the countenance, so difficult to secure in a daguerreotype, is thoroughly produced. We would call attention to the portraits of the Hon. George W. Wright, Commodore Stewart, and the Hon. Pierre Soulé, lately published in the Review, and still more particularly to that of the Hon. Henry S. Foote in the present number, as proofs of our assertion. Whitehurst's Gallery, at the corner of Broadway and Leonard street, is well worthy of a visit from those desirous of seeing a collection of the portraits of our most distinguished people finished in the highest style of the art.

PORTABLE STEAM ENGINE.

We notice, as among the improvements of the day, a very compact and economical combination in the form of a steam engine, attached to an upright tubular boiler, with horizontal flues of *peculiar* construction, of the same fashion as the boilers of the steamer Ben. Loder on the Seneca Lake. The engine is suitable for driving presses, hoisting, and well adapted for farm uses; indeed, for all purposes where steam power is required. We note this favorably, and more particularly commend it to the attention of our Southern friends who require for plantation and other purposes machines of this kind. Its particular advantages are: economy in the use of fuel and space; it is not liable to get out of order, and may be safely attended without much experience in the use of steam: it strikes us as a very valuable and practical improvement. It is manufactured by John T. Johnston, Geneva, New-York.

This machine can be seen at A. B. Allen & Co.; 189 and 191 Water-street; Wm. Kemble's, 28 and 29 West-street; and is well worth a visit.

THE MARSHALL TESTIMONIAL.

This splendid festival, creditable alike to our city and to those gentlemen connected with its management, came off on the 12th ultimo. From early morning until midnight there was a constant succession of entertainments. Melodrama, farce, comedy, rope-dancing, ballet, opera, German and French vaudevilles, all contributed their shares, and a grand

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display of fireworks on the battery formed a grand finale. We were pleased to observe large audiences throughout the entire performances. This mark of esteem will, we have no doubt, urge Mr. Marshall to return the compliment by an unparalleled season at the Broadway Theatre.

ITALIAN OPERA.—CASTLE GARDEN.

Two triumphs are to be recorded this month, in the production of Don Pasquale, and Il Barbiere di Seviglia; in the former Bosio's Norma was a charming piece of natural acting and still more beautiful vocalization. A more complete transformation was never witnessed than Marini's as Don Pasquale; his dressing and singing were both very effective. Salvi's Ernesto did not please us—even the delicious serenade in the last act was, we think, most provokingly slighted. Salvi is an artist of great merit and good taste, and therefore we are surprised that he should fail in an opera affording so fine a scope as Don Pasquale. Badiale's Doctor Malatesta was a finished performance, but there is a harshness in his voice extremely displeasing to the ear.

Of Il Barbieri we shall speak more anon, only saying, at this time, that it introduced to us, in the character of Rosina, an old favorite at the Astor Place—Signora Bertucca Maretzek, the accomplished lady of the Empresario.

NIBLO'S.

Since the re-opening of Burton's Theatre the place of his dramatic corps, at this house, has been filled by Mrs. Mowatt, who has lately returned from an European trip. She has greatly improved in appearance, but, with the exception of the finish given by experience, we cannot perceive any improvement in her acting. She has, as yet, only appeared in her original play of Armand, or The Peer and The Peasant. The Ravels and Francks are still delighting the audiences on alternate evenings with Mrs. Mowatt, and we are glad to observe that the houses are nightly well filled.

PROFESSOR ANDERSON AT TRIPLER HALL.

This gentleman has been nightly astonishing large audiences by the mutilation of handkerchiefs, which are afterwards restored uninjured; by passing doubloons through the thick heads of young gentlemen; by magical disappearances, and wonderful reappearances; by magnetic experiments, and more particularly by serving out of the same quart bottle at least a gallon of several different kinds of liquors. We are little given to believe in witchcraft, but were we in the least sceptical, an hour at one of the Soirées Fantastiques would entirely convert us into true believers. We are sorry to perceive that there are many persons anxious to interfere with Prof. Anderson, and who manifest their ill-nature by making remarks during his performances, and accusing him of being aided by accomplices in the house; but the manner in which these persons are treated, being at once gentlemanly and dignified, gives us unlimited gratification. It should be remembered that visitors go to *see* Professor Anderson, and not to instruct or question him. If they have the superior skill to detect him, some other time and place should be chosen for an exposé, than a crowded hall during an interesting performance.

BURTON'S THEATRE.

Burton has commenced the season with a revival of the old comedies so successful at his house last year; he has made several alterations in his company, but we are

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pleased to find many of our old favorites still retained. We are always sure of good entertainment when we visit Burton's, and we cordially recommend our theatre-going friends to give his house a trial.

BOWERY THEATRE.

The spectacles lately so popular at this house have given place to an engagement with Barney Williams, one of the best delineators of Irish characters now on the stage; he is ably supported by his talented lady, and the members of the company. The house is constantly well filled, and it would seem that Mr. Hamblin's late embarrassments have called forth the active support of his friends. A new play, entitled, "Ireland As It Is," has been produced with considerable success, to be attributed more, perhaps, to the excellence of the acting than to any great merit in the play itself.

NOTICES OF NEW BOOKS.

SKETCHES OF EUROPEAN CAPITALS. By William Ware. 12mo., pp. 320. Boston: Phillips, Sampson & Co. Sold by Stringer & Townsend.

The author of "Letters from Palmyra" is so favorably known to the reading public, as to afford general welcome to this new and acceptable production, even upon so threadbare a subject as Europe, its things and theories. In addition to the high literary merit of this work, it contains one which prides highly on an independence of English abuse, which is sure to visit every production not laudatory of John Bull in all his phases. Nearly all of our prominent writers, hitherto, have judged it expedient to mix with a little slander of their own country, which they call "candor," a large portion of English laudation and flunkeyism, which they denominate a "generous tribute to the mother country," but which the public designate as a contemptible, crawling sycophantism—a miserable devil-worship—a slavish propitiation of the monster they fear to face. Mr. Ware has passed a step beyond that: his pages are tinged with the roseate dawnings of an "American Literature;" a manly contempt for the bravos of the English press, and something like a confident repose upon the judgments of the millions of readers upon this side of the Atlantic; giving earnest that public taste is strong enough to defy English prejudice, and speedily to mark with indignation the poltroon politicians who, in official stations, perambulate British "feeds;" earning their welcome by puffing the proud oppressors of the human race. Mr. Ware is of other metal, and discourseth thus:—

"But, though all this be so true—this devotion of England to commerce and the accumulation of wealth, and their success in heaping up riches beyond any other people on earth—they are very much grieved that the American should be touched with the same infirmity, and, as we well know, never cease from tenderly upbraiding us for our devotion to the "almighty dollar." This is all most kindly meant, no doubt; but it reveals a trait in the English character which deserves a little attention—their love and their practice of cant. I suppose, if there be one trait by which it is more deeply marked than by another, except two, possibly, already named, it is by this particular form of hypocrisy. Colossal magnitude is not more truly the characteristic of London than cant is of the English mind. To read their journals, reviews, papers and books, you would fancy them, from what they say of themselves, to represent the most moral and religious, the most loving and peaceable, the most generous and magnanimous, the most self-sacrificing, pious and Christian people in the wide world. But whether they in truth *are* what they seem to many to be, because they arrogate these virtues to themselves so freely, is more than doubted by the world at large, and quite denied by such

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learned domestic authorities as Carlyle and Punch. Even *The Edinburgh* hints at "a form of religious insincerity, called cant," as the "special infirmity of the people." These, but especially the two first named, are the doctors who particularly apply themselves to the cure of this easy-besetting sin of the English character. Yet honestly, fearlessly, powerfully as they have plied their trade, they have found the disease too deep-seated to be easily eradicated. Native, moreover, to the constitution of the entire people, and long hereditary, unfortunately, it has been caught by the Anglo-American, and, though weakened by transmission, finds itself in a hopeful way, and with encouraging prospects before it—but by no means, as yet, in the condition of the parent people. In England, the very occupation of the people seems to be straining at gnats and swallowing camels. They are filled with a very virtuous indignation at the continued existence of American slavery, although it was they who planted it here, and that, too, against our will and most earnest remonstrances, while, at the same time, they swallow without difficulty the slavery of one hundred and fifty millions of Hindoos: in what proportion out of the whole there is personal slavery, where there is buying and selling, and labor without remuneration, that basest, meanest form of tyranny, I know not: though the proportion is very great; but that there is political slavery there throughout that whole immense population, all the world knows; a slavery beneath which the East Indian is ground to powder by the irresistible power of English arms, and by which the proceeds of his industry, or his hereditary wealth, are wrung from him by compulsory process, and, by *their* impoverishment, the most gigantic fortunes accumulated all over the British Islands, and, as well, sinecurist idlers, without number, throughout the Indian peninsulas, enriched by enormous salaries,—natives doing all the work for what rice and rupees will keep them from starving. Notwithstanding the frequent display, on the part of the traveling Englishmen and the review-writing Englishmen of the most generous sentiments and sympathies on behalf of the blacks, and their expression of wonder and regret that the American white should refuse to consort on equal terms with the free African, it is still true that color, even the light olive tint of the Hindoo, bears the same mark of degradation in Calcutta, and to many even in London, as here; and the white Englishman will not sit at meat with the East Indian, though he be a prince or a philosopher. There were gentlemen who, though invited, would not dine in company with Ram Mohun Roy, though a full-blooded Rajah, and a most learned and accomplished man—"indignantly refusing to sit at table with that black fellow." They lecture the world on the virtues and duties of peace, but, without scruple, will let loose the dogs of war whenever their flannels, their cottons, their woolens, iron, or opium are interfered with. They give suppers and breakfasts, and have all their equipages in full liveried action on Sundays, whereby armies of servants, of higher and lower degrees, are detained in personal attendance on their masters throughout the day, and, for a pretence, stop the Sunday mail, that all the various operatives connected therewith may be at leisure to go to church, as they ought to do, and say their prayers; they are sadly pained that the American should love the dollar so well, the only difference being that their love of the pound is the same, only five times as much. They have made a great ado, and with justice and sense, about the virtue of temperance in England: there is need of it, for the English, and still more the Scotch and Irish, are a nation of hard drinkers; but, at the same time, made cruel and cowardly war, but a few years since, upon the Chinese, to compel them to get drunk on the opium which they first forced them to buy at the point of the bayonet. They are really mortified that we, who they cannot, to their manifest chagrin, deny, sprung from English blood, are still so low in civilization that we produce little literature and no art as yet, (West, Copley, Stuart, Allston, Inman, being Englishmen, just as Wilson, Reynolds, Lawrence, Wilkie, Wyatt and Gibson, are, or were, of course, Italians—the first having been at school awhile in London, the last in Rome,) not remembering that England, a thousand years older than we at that time, produced no artists before the middle of the eighteenth century, and to this day has produced not one of the highest class; the taste of England never having risen above the admiration of Carlo Dolce, among the old painters, and now delighting itself chiefly in the horses' heads, pet poodles, and woolly lap-dogs of Landseer. England riots in luxuries obtained at the expense of the comfort and subsistence of the lower classes, from which she wrings by taxes, direct and indirect, the last penny that will just leave the life in the body, over whom she at the same time utters the most touching lamentations for their hardships and miseries. The female sex is, in this case, the grand sacrifice, who, in this respect at least, are slaves—though living on the boasted soil of England, that they are compelled to *work without remuneration;* for that cannot be called remuneration which fails not only to support life in tolerable comfort, but to support it at all; and to save from starvation by cold and hunger, resort must be had to vices which, were God no more merciful than man, would destroy soul as well as body."

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EPISODES ON INSECT LIFE. By Acheta Domestica, M. E. S. J. S. Redfield, Clinton Hall. B. B. Mussey & Co., Boston.

This is a beautifully printed and illustrated work upon the insects peculiar to the summer season. They are described, with their habits, in the form of short stories of much interest and instruction. All the varieties of the insect species are described with "pen and pencil" in a most clear and attractive manner. The attention of almost every person is at this season forcibly attracted to insects, and in the cool autumnal weather their little histories may be investigated with considerable interest.

LECTURES ON THE LORD'S PRAYER. By Wm. R. Williams. Boston: Gould & Lincoln. For sale by Lewis Colby, 122 Nassau-street, New-York.

Dr. Williams dedicates these commentaries to the "church and congregation" in Amity street, who have been so long under his pastoral care. His lectures are not addressed to the learned, although they embody much learning, but are devoted to the analysis of the Lord's Prayer in a manner adapted to the wants of persons engaged in the active pursuits of temporal life. How much is comprehended in that matchless supplication of the Saviour may be learned by perusing these lectures, which fill over two hundred and fifty pages, and are yet themselves condensations of thought. A folio would scarcely contain the ideas comprised in those six sentences. Dr. Williams has limited himself to the use of the most striking reflections, and clothed them in language characteristic of his eloquence.

POPULAR CYCLOPEDIA OF BIBLICAL LITERATURE. By John Kitto, D. D., author of "The Pictorial Bible," "History and Physical Geography of Palestine," Editor of "The Journal of Sacred Literature," etc. Assisted by numerous distinguished Scholars and Divines, British, Continental, and American. With numerous illustrations. Boston: Gould & Lincoln.

This work, the result of immense labor and research, and enriched by the contributions of writers of distinguished eminence in the various departments of Sacred Literature,—has been, by universal consent, pronounced the best work of its class extant; and the one best suited to the advanced knowledge of the present day in all the studies connected with Theological Science.

It is a dictionary of Scriptural topics, which should find a place in every library. It is condensed from the larger and more expensive work of the same name, into the compass of one volume imperial octavo, and thus rendered more easy of consultation, without omitting anything essential for the information of the general reader. It has been the author's aim to avoid imparting to the work any color of *sectarian* or *denominational* bias. On such points of difference among Christians, the *historical* mode of treatment has been adopted, and care has been taken to provide a fair account of the arguments which have seemed most conclusive to the ablest advocates of the various opinions. The student of theology will of course avail himself of the unabridged work; but the vast majority of persons will find the book in its present shape amply sufficient for every useful purpose. Sunday school teachers, and all who study the Scriptures, will find this Cyclopedia a more valuable auxiliary than any work extant of which we have any knowledge. Scarcely a query can arise in the mind of the reader of the sacred book but may be answered by reference to this comprehensive volume. For the family library, as well as for Bible class and Sunday school teachers, we cordially commend it.

The pictorial illustrations, amounting to more than three hundred, are of the very highest order of the art.

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THE GREAT HARMONIA; being a Philosopher's Revelation of the Natural, Spiritual, and Celestial Universe. By Andrew Jackson Davis, author, &c. Benjamin B. Mussey & Co.

Mr. Davis informs us in his preface, that he must be considered "infallible." The work is greatly superior to the first work of the author as a literary production, and in no wise behind it in humbug. The following quotation may serve as an amusing specimen. After stating that *love is a female* and *wisdom a male*, and that the union of these is a true marriage, the author proceeds:

"There is no happiness separate from true conjugal association. One spirit cannot revisit the attraction of another spirit. It is simply wisdom searching for love, or love for wisdom. It is not strange that the heart subsists as a true associate; because, unless we comprehend and realize the truth that the Deity, his universe, and the human soul, are constructed and subsisting upon the principles of male and female—positive and negative—or love and wisdom, it is easy and natural to understand the attraction which the dependent soul feels towards its true companion. It is soul seeking for soul—life for life—love for wisdom—spirit for happiness. Yes, it is when the soul realizes its relation to or dependence upon others, and especially its particular dependence upon one, that it begins to seek for itself. * * *

"Every individual is born married; every male and female, every love and wisdom, has a *true* and *eternal* companion. This marriage is solemnized by supreme sanction, and is sanctified by angelic harmony. It depends not upon personal beauty or education; neither upon wealth, position, time, situation, age or circumstance; it is the spontaneous and inseparable conjunction of affinity with affinity, principle with principle, and spirit with spirit.

"In reply to the question, "will all individuals married in this life, continue to live together in the spirit world?" I received the following vision: in England, in the city of London, I saw a gentleman undergoing the metamorphosis called death. He had been for several years married to an uncongenial companion; they had frequently and severely injured and insulted each other; and were quite dissimilar in their temperament, habits, attractions, and desires. From the scene of his departure, my perceptions were directed to a dying Turkish lady, in Constantinople, who, according to the eastern custom of polygamy, had been a favorite wife of the Sultan. The two deaths or transformations occurred at the same moment, and when the two spirits were emancipated from the body, and from the superficial restrictions of society, they ascended—and by the irresistible attraction of conjugal or spiritual affinity, and in accordance with the law of perfect spiritual adaptation, they approached each other, and, rapturously embracing, manifested the fullest realization of the beautiful fact that they were eternally ONE."

This rhapsodical balderdash contrasts strongly with the remarkable reply of Christ to a similar question, "there shall be neither marrying, nor giving in marriage." It is a paltry theft of Joe Smith's notion of spiritual wives, and is worthy of so expert a garbage gleaner as the dreaming author.

THE STONE MASON OF SAINT-POINT, A Village Tale. By A. De Lamartine. Translated from the French. Harper Brothers.

The great interest which attaches to the poetical works of M. Lamartine, does not adhere to most of his prose writings. His dishonesty and unsoundness of judgment make his political writings of very little value; more particularly when they are the evident emanations of a disappointed republican minister become the hireling of the monarchists. This influence betrays itself in all his late works. Nevertheless, the tale here presented and admirably translated, possesses much merit, and will be read with avidity.

THE ELEMENTS OF ALGEBRA, Designed for Beginners. By Ellis Loomis, M. A. Harper Brothers.

The high merit of Mr. Loomis's mathematical works has led to their introduction into many schools where the pupils are less advanced than those for whom the larger works were designed. Hence this more elementary production will meet a want much felt.

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TRAVELS AND ADVENTURES IN MEXICO: In the course of Journeys of upwards of 2,500 miles, performed on foot. By W. W. Carpentier, late of U. S. Army. Harper Brothers.

All that relates to that remarkable country, already overshadowed by the "stars and stripes," and waiting but its turn in the inscrutable process of absorption which must complete "the manifest destiny," is of interest, and Mr. Carpentier has here given us a rich, glowing, and authentic account of the manners and materials of that nation. The book will and should be in the hands of all.

MEMOIR OF THE REV. EDWARD BICKERSTETH, late Rector of Walton, Herts. By F. R. Birks, M. A., with an introduction by Stephen H. Tyng, D. D. Harper Brothers.

The high standing of the "beloved Bickersteth" in the Christian Church is such, as to make his memoirs a sort of text book in the path of virtue, and full of interest, as well to the Churchman as to the pious of all denominations. The introduction by Dr. Tyng speaks in earnest sympathy for an intimate friend and co-laborer in the great work.

LONDON LABOR AND THE LONDON POOR; a Cyclopedia of the condition and earnings of "those that will work," "those that cannot work," and "those that will not work." By Henry Mayhew. Harper, Brothers.

Eleven numbers, comprising the first volume of this work, elegantly illustrated, have made their appearance. We have before had occasion, at great length, to quote from these very interesting papers. They contain much valuable matter in relation to the social condition of England's poor, which comprises by far the largest portion of the people. If Mr. Mayhew's judgment is not to be trusted, his facts are, generally speaking, correct, and from them, rather than from his opinions, are to be deduced the real state of things in a "decaying country."

THE FATE: A tale of stirring times. By G. P. R. James, Esq. Harper Brothers.

Mr. James is "good yet" for any quantity of tales; and the present one has more of vivacity, resulting perhaps from our invigorating climate, than some other of the "last novels."

PICTORIAL FIELD-BOOK OF THE REVOLUTION. By B. J. Lossing. New-York: Harper Brothers. No. XI.

This work, which has reached its eleventh number, deserves to be highly prized, not so much for any rare and surpassing merits which it possesses, as for the peculiar character of its contents. It is stored with events and incidents connected with the battles of the Revolutionary War, which are not of sufficient importance to obtain a prominent place in general history, but which are no less valuable as a part of those striking scenes. Many of them have been gathered in the neighborhood of the battle-fields, and often from actors in those tragedies. These are interwoven with the general current of events of more importance, and illustrated with an incalculable mass of the popular information of those days. Added to all these particulars, the work will be found to be embellished with cuts and drawings of great merit, which represent battle-fields, noted spots, dwellings, and, we had almost said, everything singular or striking con-

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nected with those days. It is written in a plain, easy, and often colloquial style, and over its pages the general reader will repeatedly and long delight to linger.

THE EPOCH OF CREATION. The Scripture doctrines contrasted with the Geological Theory. By Eleazer Lord; with an introduction by Richard W. Dickenson, D. D. New-York: Charles Scribner.

This interesting question is here ably discussed, and the seeming conflict between the theory deduced from Scripture and that presented by geological facts well explained.

ICONOGRAPHIC ENCYCLOPEDIA OF SCIENCE, LITERATURE AND ART; systematically arranged; by G. Heck. The text translated and edited by Spencer F. Baird, A. M. M. D., &c. New-York: Rudolph Garrigue. 1850.

The numbers of this great work continue to appear in regular succession, and to maintain the high reputation it has everywhere attained. It must become the indispensable Encyclopedia for every private library.

A DICTIONARY OF MACHINES, MECHANICS, ENGINE-WORK AND ENGINEERING; designed for practical working-men and those intended for the Engineering profession. New-York: D. Appleton & Co. 1850. Charleston: J. Russell.

We have received number thirty-eight of this valuable and highly useful publication, and cheerfully commend it to the favor of the machinist and working-man generally. The title, as given above, amply serves to develope its purposes. The highest praise which can be accorded it, seems to be compassed when we state that it fulfils all the conditions which it promises.

LIFE AND MANNERS; from the Autobiography of an English Opium-Eater. By Thomas De Quincy. Boston: Ticknor, Reed, and Fields. 1851.

This forms the fourth volume of the Boston edition of De Quincy's writings, and is accompanied by a superior portrait of the author. We have laid these volumes aside for a more extended notice hereafter.

TRUE PATRIOTISM. An address, spoken at Geneva, July 4th, 1851, by PARK BENJAMIN. Geneva, N. Y., J. & S. H. Parker.

A capital and patriotic speech, calculated to do especial good in the section of the state where it was delivered. Its style is worthy of the literary reputation of the author, and the performance is only marred by the extravagance of the orator's eulogy of Mr. Webster.

Io: A Tale of the Olden Fane. By K. Bartow. D. Appleton & Co.

This is an elegantly written classical tale. Without wishing to say that it has a political meaning, we believe that the people of these times, chained down by a worse slavery than the olden Helots—a slavery of mind, may learn much from its pages. The author has used his classical tastes and attainments to great advantage. We have to thank the Messrs. Appleton, first for the book, and next for the very neat and tasteful style in which it has been issued.

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HOME IS HOME: A Domestic Tale. D. Appleton & Co.

Another of those delightful books for fireside reading, introduced to the public by the house of Appleton & Co. It should be placed upon the shelf of every family library, to instruct as well as to please.

THE HELLENIAD: An Epic Poem. Founded on the events connected with the successive invasions of Ancient Greece, by the Persians. Part first. "The Wrath of Darius." By George McHenry. London: Simpkin, Marshall & Co. 1850.

Much of the English literature never reaches us, or remains for a long time unknown to American readers. This is particularly the case with poetry, very little of which, unless accompanied with the prestige of a well-known name, becomes familiar and appreciated during the life-time of the author. This Epic, the production of Dr. George McHenry, of Liverpool, has been well received in English literary circles; but we believe the honor of introducing it to the American public remains with us; and we regret our inability at this time of giving it more than a passing notice. The attainments of Dr. McHenry, and his fine poetical taste, are such as to guarantee a superior work, although we regret his placing himself in a position where he must be exposed to such fires of criticism. The public eye, now-a-days, looks with a strong distrust upon poetry, and especially epic poetry; our own extended remarks we reserve for a future number. In the preface we are informed that "The first part of the poem is now published, under the title of 'The Wrath of Darius,' because all the incidents comprised in it arise from the anger entertained by that monarch against the Greeks. It contains an account of the first invasion of Greece, by the Persians, under Mardonius; and of the second, under Datis and Artaphernes, which ended by their defeat, at the illustrious battle of Marathon. The second part I intend to denominate 'The Pride of Xerxes,' and I expect it to contain about as much matter as the first; and to the whole work, then completing the three different expeditions against Greece, I have affixed the designation of 'The Helleniad,' from Hellas, the ancient appellation of the country, or from Hellen, son of Deucalion and Pyrrha, king of Phthiotis, whose two sons, Æolus and Dorus, and grandson, Ion, gave their names to the three respective nations or tribes of Greece, known as the Æolians, Dorians, and Ionians,"

A MANUAL OF ROMAN ANTIQUITIES: illustrated with numerous engravings. By Charles Anthon, LL. D., &c. Harper Brothers.

A very excellent work, and one well worthy of its gifted author. Dr. Anthon has made numerous additions to American literature, and none more interesting or useful than the present volume.

HARPERS' MAGAZINE, for August.

This elegant periodical, not inaptly christened, "The Giant of the Monthlies," continues as popular as ever. It is admirably conducted, and so long as it remains in such good care, must continue to be interesting.

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Engd by Whitelaw

Engd by H. Leland

Very truly yours &c
Horatio Seymour

N. YORK

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THE

UNITED STATES MAGAZINE,

AND

DEMOCRATIC REVIEW.

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NARCISSO LOPEZ AND HIS COMPANIONS.*

For the present, at least, the attempt to rescue the Island of Cuba from the stern despotism of Spain, appears to have totally failed. Lopez has suffered an ignominious death, in a daring enterprise, which, had it succeeded, would have placed him among the heroes and benefactors of mankind; his followers have been dispersed, hunted by bloodhounds, captured, and executed without trial, or transported to Spain to suffer under the relentless maxims of Spanish justice; and so far from being objects of sympathy to their own countrymen, have been classed with Morgan, Lolonois, Roche, Braziliano, Bat, the Portuguese, and others of the bloody buccaniers of Tone, whose sole object was plunder, and whose only means of success, treachery and murder. The drama being closed, and the curtain fallen, we propose briefly to review the plot, the author, the actors, and the incidents; first, however, offering a few preliminary observations.

Our readers all know that Cuba is one of the largest and richest islands of the world, containing about half as many inhabitants as the thirteen British American colonies, when they threw off the yoke of the mother country, and achieved their independence. Owing to influences which it is not our purpose to specify, it took no part with the Spanish colonies on the Continent in their struggle for independence, but remained, and still remains, a dependency of Spain, whose colonial system is a compendium of all the abuses of the worst species of government. While the Queen of Spain is struggling to maintain a waning and precarious authority at home, she exercises a despotic sway in Cuba, administered by petty officers, who govern without control, and almost invariably exhibit the characteristic of every slave when he becomes a master. Abjectly subservient to those above them, they make amends for their bondage by treading on those beneath, and signalize their loyalty to the sovereign by oppressing the people. The inhabitants of Cuba have no constitutional rights; no voice or influence in making their own laws, or choosing their own officers; and in addition to these deprivations, by far the larger portion of them, the Creoles, natives of the island, are excluded from all the high offices, and considered as an inferior race by what are called "The old Spaniards."—These are among the grievances they suffer. Connected with and arising from that source, is a train of petty social abuses and mortifications, too tedious to enumerate, and, perhaps, not worth enumerating.

* For the Life of Lopez, see *Review* for January, 1850.

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Now, what did our ancestors do here in these United States, when suffering under the evils of a colonial system, by no means so mortifying and oppressive? They declared themselves independent, and justified their conduct by asserting the great truth, that the people had not only a right to change their government, but also a right to decide when such change became necessary to their prosperity and happiness. On this ground they fought, and on this they triumphed. They wrested the sceptre from kings, and shook the colonial system to its centre. They did more:—they laid the foundation of a great radical change, not only in our ideas of the limits of authority and obedience, but in the very structure of society itself, which is gradually extending to the old world.

Having proclaimed themselves independent, and made good that independence by great sacrifices of blood and treasure, it seems not a little strange and inconsistent, that a people thus circumstanced should withhold all sympathy from those in a similar situation with that they once felt so grievously, and who were at least presumed to be ready to discard a despotism ten times more galling than that which called forth their own resistance. Does it not seem equally strange, that long before it was ascertained whether or not the great majority of Cubans were in favor of independence, and ready to assert it by arms, there should be a hue and cry raised from one end of the Union to the other, against all whose sympathies or services were enlisted in a cause hallowed in the heart of every true lover of freedom? Does it not seem still more strange, that as little sympathy should have been shown for the fate of some hundreds of as gallant men as ever lived; men, many of whom had shed their blood and would have gloried in dying for their country, captured when incapable of resistance, shot down without trial, like dogs without owners, and buried like dogs, not in the heat and excitement of battle, and resistance, but in the cold indignity of cowardly revenge, without being allowed time for repentance, had they been conscious of wrong? And does it not seem strangest of all, that the administrators of a government founded on the right of resistance to wrong or oppression, and that of choosing their own rulers and making their own laws, should have made a treaty which may be, or at least has been, so construed, as to operate in effect as a guarantee to Spain of the right to oppress her colonies, and to place the United States under an obligation to uphold, if not actually assist her in riveting their chains? Further: does it not seem more than strange, a very phenomenon, that this same government, being the champion and exponent of liberty—at least in Africa—should not only concede to a foreign state the right to shoot down any of its citizens found on Spanish territory under suspicious circumstances, but actually declare war against them in a proclamation, converting them into *feræ naturæ*, to be hunted by two-legged and four-legged bloodhounds, and employ its naval force in arresting every attempt to assist a people who it was presumed were about to struggle in a cause hallowed by our own example?

Yet such is actually the case. Following in the wake of England, in this, as in everything else, with abject servility, the present whig administration has not only slily and insidiously, but openly and directly discouraged the progress of liberty everywhere, except among the negroes, and now stands before the world, not as the champion of human rights, but of human wrongs. While shutting its eyes to the gross violation of law in Boston, New-York, Pennsylvania, and all over the north, perpetrated in

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the name of African liberty, it displays all its energies in discouraging and repressing the struggles of white men for the attainment of the same boon. Its subsidized organs and official dependants, in all parts of the country, instead of expressing sympathy for the fate of their countrymen, whose published letters, written at the very muzzles of the guns pointed at their hearts, show that they were of the stuff of which heroes are made, take pleasure in stigmatizing them as common freebooters, cut-throats and pirates, animated only by the love of plunder, and destitute of every sentiment as well as motive, that might offer the slightest excuse for their conduct. Even the organs of Spanish falsehood and deception have not dared to accuse these men of committing any depredations on private property, or offering the least insult or violence to the inhabitants, although suffering the extreme of hunger as well as provocation. All clap their hands and shout for joy; all raise the language of British scribes and Spanish officials, in triumphantly announcing, that again, for the second time, has Cuba been crushed under Spanish despotism, and her wrongs perpetuated.

The organs of British freedom, which is exemplified in the present deplorable moral; physical, and intellectual condition of the laboring classes of that country, and the representatives of American freedom at Washington, have forbidden the people of the United States even to sympathize with their butchered brethren, or in the cause for which they suffered. It appears from their dying declarations, that they were deceived by the representations of others, aided probably by their own self-deception. They undoubtedly believed that they would be joined by a much greater number of their countrymen than accompanied them; and what is far more important to their justification, they believed that a majority of the people of Cuba were impatient of despotism, and stood on tip-toe ready to join them the moment they appeared in arms on the island. Had this been really the case, they would not only have been acquitted of madness and folly, but there can be little doubt, that success would have converted them from pirates and robbers into heroes and patriots. For ourselves, we do not always judge of undertakings by their success; and our feelings are more apt to be enlisted in behalf of those who perish in a noble cause than of those who triumph in a bad one.

But the loyal and orthodox British scribes, who give the tone to our whig administration, and expound for us the principles of international law, and teach us the sublime doctrines of universal philanthropy—if not by their example, at least by their precepts—have consigned the memory of these gallant victims to infamy, and we, the people of the United States, must not shed a tear over the spot where they lay buried, like dogs, in ditches, lest we, too, should be denounced as pirates, robbers, and cut-throats. What though La Fayette came in aid of the people of the United States when struggling for freedom, and when his government was bound by its obligations of neutrality to England, as firmly as the United States are at this moment bound to Spain? What though Montgomery, Lee, Kosciusko, Pulaski, Steuben and De Kalb, were either natives of England, or of countries at peace with England, when they gave their services, some of them their lives, to a country engaged in an attempt to throw off the fetters of colonial dependence? What though General Devereux, a subject of England, raised a regiment under the very nose of the government, in open day, and embarked in open day, intentionally to aid

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the people of Mexico in their attempt to cast off the Spanish yoke? What though the Swiss Cantons have for ages past, hired out their soldiers to any power that chose to buy them to fight against nations with whom they were at peace? What though England purchased the troops of Hesse Cassel, at so much a head, to assist in subjugating the people of the New World? And what though we read of innumerable instances of distinguished men of all countries entering into the service of foreign nations at war with each other, while their own government was neutral, either with a view to the acquisition of military experience, the gratification of a sentiment, or the love of glory? None of these cases were held to be a violation of neutrality, nor were those, thus employed, stigmatized as pirates and outlaws, and when taken prisoners, quartered, or shot in cold blood, without trial, without preparation for death, or Christian burial. Yet, the very governments which encouraged or permitted, or were parties to these violations of neutrality, are now the loudest in their denunciations of the people of the United States, because a few of our citizens became volunteers in an attempt to aid a people they believed were engaged, or about to engage, in a great struggle for freedom. Had they enlisted in the cause of despotism—had they embarked in a crusade against liberty, they would have been canonized in the same quarter, as heroes and martyrs.

We do not cite these examples as cases directly in point, but to show that the obligations of neutrality have heretofore been considered as strictly national, and involve no duty beyond that of abstaining from all interference, as a government, in behalf of belligerents. No government can justly be held responsible for the violation of neutrality by private individuals, acting without its authority, or at least encouragement. It is impossible to prevent frequent instances of this kind, except by imposing such restraints on the actions of private individuals as interfere with their personal freedom, their lawful business, and their blameless inclinations. And it is equally impossible to carry these into effect, without instituting a system of official espionage, accompanied by all those peevish precautions which the fears and jealousies of European despotism have adopted against a discontented people, impatient of long-continued abuses. This is most especially the case in the United States, where the law is so chary of the personal rights of citizens, and the government has no great standing army at its disposal, to enforce the observance or the violation of laws; where every citizen can go where he pleases, without a pass to be supervised by any petty official, which, when acting in opposition to the popular feeling, is the weakest, and when in conformity with it, the strongest in the world.

Let it not be supposed that we deem lightly of the obligations of neutrality; on the contrary, we consider them indispensable to the prevention of general and universal wars between civilized nations. At the same time, we maintain that these obligations have their limits, and that no government has a right to enact laws for their preservation in direct violation of the general principles on which it is founded. It is a dangerous policy to create new crimes by making new laws, or to infringe the personal rights of the citizens generally, for the attainment of a particular object, though that object may be highly important and praiseworthy. Such we consider the late law of Congress, passed solely in reference to a particular case, but equally applicable to all similar cases. It confounds a mere intention with an actual violation of neutrality, and punishes the act before it is committed. What is still more objectionable, it places every citizen at the mercy

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of official suspicion, and may be so abused as to become an instrument for persecuting any obnoxious individual, as in the case of Governor Quitman. It is sufficient to say that he contemplates a violation of neutrality, and he may be arrested, his property seized, be held to bail, or imprisoned in default, and subjected to all the expense, disgrace, and vexation of a trial in which the whole weight of government influence is brought to bear against him. His personal or political enemies have only to get up a charge of *intention*, and he is, for the time being, placed out of the way effectually. This is exemplified in the late New-Orleans trials, in not one of which was there any sufficient evidence, even of intention, to establish their guilt. Governor Quitman was arrested while in the actual exercise of his official functions as chief magistrate of a sovereign state, and many other persons, brought before a court of justice, whose members are subjects of executive patronage, charged with a violation of this law. They were all, without exception, either acquitted or discharged under a *nolle prosequi*, moved by the attorney of the prosecutor, the government of the United States, against which they have no redress for slanderous imputations and false imprisonments. It may be, and has been asserted, that these men were undoubtedly guilty of the *intentions* charged against them; but that such was the state of public feeling in New-Orleans, that no jury could be found to convict them, even though the proof had been direct and positive. In cases like these, we are very apt to draw the conclusion, that such a general feeling among an entire community is much more likely to arise from a universal sense of right, than a resolution to maintain that which they know to be wrong. But we have seen no evidence of the truth of this sweeping charge against the New-Orleans juries, and have, therefore, a right to believe that the acquittal or release of the persons on trial before them, was owing to the want of evidence to establish their guilt, rather than a pre-determination to acquit them whether guilty or not.

Those who are conversant with the history of the decline and downfall of liberty in all ages and nations, will recollect, that the first and most successful inroads on personal freedom, were made under pretence of maintaining law and order among the people. For this purpose it was said to be indispensable to extend the powers and strengthen the arm of government; and all lovers of law and order were called upon to acquiesce in these encroachments on the general liberty, in order to guard against a particular evil, often imaginary, and as often created by ambitious rulers, solely to justify the remedy. When they wished to restrain the people in the just exercise of their rights, they were first goaded into resistance, then charged with being licentious and ungovernable, and denounced as madmen, to justify their being chained. The apprehensions of the rich for their property, and the fears of the timid for their lives, were appealed to, and thus a large portion of the people became accomplices in robbing the other, to secure themselves. The great majority were placed in strait waistcoats for fear they should run mad; and mankind became gradually divested, not only of the right to judge what was best for them in this world, but relieved from the care of their souls in that to come, by being compelled to adopt the creed of the sovereign. Thus, by a gradual process, they lost all the feelings and habits of freemen, in the total absence of all occasions for their exercise; and at length it became no longer necessary to employ any other instrument in keeping them in subjection, but brute force. This is the usual progress in

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all usurpations of power, and it most especially concerns the people of the United States, who are said to be emphatically a law-abiding people, to watch the progress of legislation; for legislators are their sovereigns in fact, and they may be much more easily enslaved by insidious laws involving general principles fatal to liberty, than by great standing armies of hirelings led by ambitious rulers. Under pretence of suppressing piracy, and preserving neutrality, our government, stimulated by a passion for power, or a vehement desire to obtain the good graces of that of England, and the good word of its multifarious scribes, may embarrass the lawful commerce of the country, by recognizing the right of search on the high seas, on suspicion; arrest a citizen in the prosecution of his lawful business on the land, to be imprisoned and tried, on suspicion; declare him a pirate and outlaw, on suspicion; and finally, employ that naval force whose proper business is to protect the commerce of the country, and defend its rights, in embarrassing that very commerce, and making war on its own citizens, to preserve peace with Spain.

The truth is, that there is, at this moment, no nation or government so completely under foreign influence, as that of the United States. They seem to have no opinion of their own. British reviews and newspapers, known to be the paid oracles or servile dependents of some one or other member of the British ministry, the British aristocracy, or the British Church, give the tone to our commercial cities, whence public opinion is disseminated through all parts of the Union, and furnish our rulers and statesmen with both argument and authority. The "Edinburgh and Quarterly," the "London Times," the "London Morning Chronicle," and the "London News," are our instructors in the law of nations, the principles of liberty, and the duties of philanthropy. If one of our distinguished statesmen wishes to enforce the adoption of a particular measure or line of policy, instead of inquiring whether it is favorable to the interests and happiness, or suitable to the present condition of the country, or in accordance with the principles on which this government is based, he cites the example of England, and fortifies himself in the impregnable intrenchments of British precedents. We all know, and all acknowledge, that the system of artificial expedients adopted by that government, to the entire exclusion, as far as possible, of those great influences through whose instrumentality Providence governs the world, has been productive of consequences fatal to the habits, morals, and happiness of a great portion of the people. We all know, that it has resulted in a vast system of monopoly, and converted that labor which is the source of all national wealth, into a half-starved pauper, dependent on the crumbs that fall from the rich man's table. In short, we all know, from their own acknowledgments, their own official statements, that there is less of happiness, and more actual physical suffering and privation among the people of England and Ireland, than in any other region under the sun; that England is in fact bankrupt, because she owes more than she can ever pay; that, so far from possessing a shadow of practical freedom, her government is one of military despotism, which alone prevents a violent revolution; and that she can only keep her head above water by exacting tribute from the world, and outraging the rights of every nation too weak to resist her aggressions. Add to this, that the government of England is totally different from that of the United States in its fundamental principles; that its geographical position is contrasted with ours; that

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one is an old superannuated nation, dependent on artificial expedients for a sickly existence; the other a hale, hearty youth in the prime of his vigor, and requiring neither pettifogging nor quackery to keep him alive.

All this is notorious, evident, palpable. Yet, taking their cue from England, the government and a large portion of the people of the United States, have been stimulated into a course of policy which has shaken this confederation from one extremity to the other, and excited feelings which, if not speedily allayed, will rend it asunder. Under the same influence the whig administration of our government is, for aught we can see, blind or indifferent to the British policy in relation to Nicaragua and the Isthmus, which, if successfully carried out, will enable England at once to arrest the most magnificent project of a Ship Canal across the continent, deprive the United States of a great portion of the advantages they would derive from their acquisitions on the Pacific, and give her a position which would enable her to cripple their commerce at pleasure. It is evident that England will not relinquish the protectorate of the Mosquitoes, unless the government of the United States takes a decisive stand on that question. But we propose to enter fully into this most important subject on some future occasion, and will here leave it for the present.

This base subserviency to British opinions, which are always the offspring of British interests, is one of the most pernicious influences operating against the interests and dignity of this confederation, and the progress of free principles. Not the Emperor of Russia, or he of Austria, is so dangerous a foe to the liberties of mankind, as England. The government of that country, while pretending to the enjoyment of liberty at home, and to sympathize in its struggles abroad, is at the same time laboring with a sly, insidious hypocrisy everywhere to discourage its progress, by its literature, its money, and its power. Its leading newspapers have their paid correspondents in all parts of the world, who pretend to know the secret springs of European policy, and play into the hands of their employers, by giving whatever coloring they please to the actions of kings, and the movements of the people, which latter they at one time represent as rational and justifiable struggles for their rights; at another, as the mere ebullitions of an ignorant, licentious ferocity, impatient of all proper restraint, and arrayed against every principle of order and good government. In the former case, you may be sure that the movement in some way coincides with the interests or policy of the British government; in the other, that it interferes with them, either directly or indirectly. This is equally the key to its denunciations of the one, and its sympathy for the other. Every intelligent observer must see with half an eye the motive for all this hubbub on the part of the British scribes, on the subject of the violation of our neutrality in relation to Cuba. It is not that England disapproves the dismemberment of Cuba from the crown of Spain, from any regard to the faith of treaties, or the interests of that power, but that she fears its subsequent annexation to the United States, whose growth and prosperity she watches with a sleepless, malignant jealousy, as the sure forerunner of the decline and downfall of her boasted pre-eminence in arms, in arts, and in commerce. It is here the shoe pinches. There is no danger that Hungary will be annexed, and therefore she pretends to sympathize with the Hungarians; there is great danger that Cuba may be, and therefore she denounces all those who afford her either assistance or sympathy.

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These newspapers and reviews are the great oracles of our commercial cities, as previously observed. Nine times in ten, the first news we get from Europe is copied from the London Times, the great Choryphæus of the civilized world, whose editor, if not a jesuit, is certainly a disciple of Ignatius Loyola. He is a perfect Mrs. Candour in politics, and, more than any avowed and open enemy of the United States, has injured their reputation, by occasionally pretending to excuse or defend them. Now and then, indeed, he gives them a good word, and affects a marked civility, but it is only to give the more effect to his sarcasms and inuendoes, and more venom and point to his sly malignity. Yet the opinions and statements of this paper, being tacitly adopted by our commercial city organs, or at least copied without contradiction and without comment, are disseminated through every vein and artery of the country. They ascend our rivers; they fly on our steamers and railroads; they penetrate the deep forests of the West, and everywhere propagate British opinions and British politics, both which are equally at war with the principles of liberty and the interests of our country. These organs of British opinions and British interests, we firmly believe, have at this moment far more influence over what is called the most enlightened class in the United States, and especially over our doughty whig statesmen, than the lessons of wisdom and experience coming from a Jefferson, a Madison, or a Franklin. Under this influence, the present whig administration has displayed a freezing indifference, if not hostility, to any movement in behalf of the independence of Cuba, and that too before the conduct of the degenerate creoles afforded grounds for the belief that they were content under their present colonial degradation, and did not aspire to become independent. But however appearances may justify this conclusion, we are not prepared to acquiesce in it implicitly.

In the first place, it is believed there is no American citizen, imbued with the great principles of liberty and equality, and who is acquainted with Cuba, who will pretend to deny that the system of government inflicted on the people of that island, is not, at least according to their ideas, oppressive, insulting, and tyrannical, inasmuch as it entails civil disabilities and degradation on them in almost every form. It is the despotism of a monarch, distant thousands of miles, administered through the instrumentality of dependent governors, the tenure of whose office is implicit obedience to the behests of the sovereign. In the choice of his officers, and of all those exercising authority under him, the people have no more voice or influence than those of the moon. On the contrary, there is one instance, at least, of a captain-general being recalled, for seeking to make himself popular, by consulting the wishes of the people. This, if we don't mistake, was at least the case with General Tacon. Be this as it may: the captain-general of Cuba is entirely independent of the people. If he oppresses them, or if he outrages the laws of humanity, and becomes another Haynau, by butchering his prisoners in cold blood, and without trial, it is enough that he acts by command of his sovereign, whose authority is pleaded as a full justification, and whose will is law.

Now we would ask our countrymen, at least those who hold that all lawful authority emanates from the people, and should be exercised for their benefit, whether they believe, whether they can conceive the possibility of a people thus circumstanced, being so insensible to the common feelings of our nature, so besotted with a devotion to arbitrary power, so

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enamored of degradation and chains, as not to wish to be relieved from the pressure of such a leaden despotism? Is it, we ask, is it not in direct opposition to our own experience of our own feelings, as well as the universal feeling of all mankind, to presume, that those who suffer will not ardently wish for relief? Does not the very worm turn, when trod upon, unless crushed to death? Is not human nature everywhere the same, and is not its common object the pursuit of happiness, so large a portion of which depends on being well governed? Does the Gulf Stream separate man from his fellow-man, and cause the Spaniard of Cuba to be totally insensible to those grievances which make the blood of an American boil? No! the native of Cuba is not more insensible than the worm; and we firmly believe, that when the period arrives which offers a fair and reasonable prospect of success in the attempt to acquire freedom and independence, they will rise and vindicate themselves from the charge of abject, willing submission to the tyranny of the mother country, in spite of English newspapers, and their disciples, our whig statesmen.*

There can be no doubt, however, that the great body of the Creoles of Cuba are not only depressed in spirit by a long course of misgovernment, and, what is still more unfavorable to the anticipation of their rising, in a great degree under the influence of the priests of a Church, which everywhere, and at all times, in the old world and in the new, has been an inflexible foe to the progress of liberal principles, and the establishment of civil and religious liberty. A long habit of submission to wrong or indignity, coupled with long-continued abject subserviency to the despotism of a Church which inculcates implicit obedience, is very apt to degenerate at last into a sort of imbecile dullness not easily excited to action; an insensibility hard to awaken into any powerful excitement, except under the spur of bigotry. The people of Cuba may, for aught we know, be under the influence of this species of suspended animation; but for our part, we believe that other causes contributed not only to prevent their co-operation with Lopez, but prompted them to take sides against him, as is asserted in the late letter of Mr. Van Vechten, whose view of the subject is, we cannot help suspecting, not a little influenced by a feeling of gratitude for the very singular, not to say unaccountable clemency displayed by Don Jose de la Concha in his behalf.

Other causes may be adduced to account for the total inaction of the Cubans in behalf of Lopez in the first instance, and their reported hostility in the second. First: the bloody, barbarous threat of letting loose their slaves against them. Second: the fear of exemplary punishment in case of co-operation, and the certainty that it would be inflicted with all the inflexible severity of Spanish vengeance. Third, and most weighty of all: the hopelessness of efficient aid from the United States, after the proclamation of our President, outlawing every American citizen enlisted in their cause, and placing him at the mercy of any body who chose to hunt him down as a beast of prey. We do not hesitate to say, that the President of the United States stands at this moment responsible, not only for the butchery of his countrymen, but for the failure of the attempt to give liberty to Cuba. He has, for the present, preserved his neutrality with Spain, only at the sacrifice of the first duty of every govern-

* For a Memorial, addressed by the Cubans to the throne of Madrid on the subject of grievances, see vol. xv. of this Review.

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ment, that of protection to its citizens. Had Lopez landed with a sufficient force, and sufficient supplies to justify the anticipation of success, the people of Cuba would, in all human probability, have set these menaces at nought, and joined him. But he came with a mere handful of men, without an adequate supply of arms and ammunition, of both which the inhabitants were destitute, and there was nothing to inspire a reasonable hope of success. That the Cubans did not join him under these circumstances, is not to be wondered at. It was natural, when all circumstances are considered; although we cannot forbear observing, that those who are governed by such motives and such fears, will never, while they cherish them, achieve their liberty. They must risk all, to save all. This inaction, and alleged subsequent hostility on the part of the Cubans, was, however, fatal to Lopez and his followers. Had they joined him in any considerable numbers, and furnished him with provisions, the result would have been very different. Revolutions are often miracles, which are believed to be impossible until their accomplishment. Even the storm of rain, which rendered their arms and ammunition useless, may have been decisive of the fate of Lopez and his followers.

Let us do a little more justice to both, than has been meted out to them by the strenuous admirers of legitimate government. Many of them were Poles, without home, without country, and without any government on earth to which they owed allegiance. Their own government had been overthrown, their rights trampled under foot, and their property confiscated by a combination of hungry despots, leagued together in the unholy cause of plunder and devastation. They had become citizens of the world; exiles and wanderers, who, finding no resting place in the old, had sought refuge in the new. Is it a matter of surprise, that persons thus cut loose from the rest of mankind, and set adrift by the exercise of an arbitrary usurped power, should join the standard of liberty wherever it was unfurled, and make eternal warfare against despotism wherever it existed? Others of these adventurers were Hungarians, companions of Kossuth, and, like him, victims to arbitrary power. But by far the larger portion were Americans, our countrymen, a majority of whom were men of education, connected with families of the first respectability, and imbued with high heroic feelings and principles. Who gave us the right to say that these men were exclusively influenced by a love of plunder and a passion for blood? and what feeling or principle justifies us Americans in joining the hue and cry of pirates, robbers, cut-throats, and outlaws, raised against them by the organs of British policy and Spanish despotism, and echoed by those of our whig administration. The common feelings of humanity might lead us to lament the fate of hecatombs of our brave countrymen, belonging to that class which gathered such green laurels in Mexico, and were hunted by bloodhounds, manacled like felons, and shot down like dogs, by scores at a time, in cold blood; and buried like dogs, after their remains were outraged and mutilated by the rabble of Havana. But with these we are forbidden to sympathize, and nothing remains for us but to rejoice that Spanish despotism is established in Cuba, and the "Fillibusters" offered up at its bloody shrines. Be it so. Time will decide whether they were pirates and cut-throats, or heroes and patriots; and, for the present, to time we leave them. Whatever may have been their lives, the mode of their death, and the manner in which they met it, one would think might at least call forth the sympathies, if

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not the applause of their countrymen. If they committed a crime in going forth to succor what they undoubtedly believed to be an oppressed people about to assert their freedom, they have paid the forfeit. Let their ashes rest in peace. If we cannot approve their actions, we may at least be permitted to lament their fate.

On General Lopez we will bestow a few parting words. He has been called a fool or a madman, and what is of more consequence, accused of having wilfully deceived his followers by false representations of the disposition of the Cubans, coupled with exaggerations of the number of his adherents in the United States. He must indeed have been a fool or a madman to have done this. Embarked in the same vessel, exposed to the same dangers, and certain of the same fate if the expedition was unsuccessful, what possible motive could he have had for deception? If deception was practised, it came from another quarter. It was either a device of Spanish policy to lure him into premature action, or of heartless speculators for their own private purposes. Unquestionably Lopez was himself deceived in relying on the co-operation of the Cubans, who in turn were probably deceived as to the amount of aid they would receive from the United States. Until new facts are brought to light, we must be content to remain in doubt and darkness on the subject.

As for Narcisso Lopez, we affirm that he was neither pirate nor cutthroat, madman nor fool. We are neither afraid nor ashamed to say, that as earnest well-wishers to the freedom of mankind, we have watched his motions with the deepest interest, wished him success most sincerely, and as sincerely now lament his fate. And why should we not? Shall we Americans, whose ancestors gained immortal glory by success in precisely the same cause in which he perished, be called on at this day to stigmatize his name and his memory as a leader of pirates and freebooters? Shall we, while holding the names of La Fayette, Kosciusko, Pulaski, De Kalb, Steuben, and Montgomery, in honored and grateful remembrance, and who, in coming to our aid, committed the same violation of Messrs. Fillmore and Webster's great principle of neutrality, triumph in the fate of Crittenden, Kerr, and the rest of their countrymen, alike volunteers in the cause of freedom? We assert that such is the requisition of our own government, echoed by the sentiments of Americans. If we do not mistake, the time is not very distant when, instead of being derided as rash fools, or slandered as outlaws and pirates, they will be classed with those illustrious martyrs to liberty, who, though they perished themselves, prepared the way for the apotheosis of the goddess.

Narcisso Lopez fought bravely, and died bravely. At first we were inclined to blame him for suffering himself to be taken alive, when, in our opinion, he should have died like a Roman. But it since appears that he was scented by bloodhounds, and captured almost in the sleep of death, occasioned by long-continued fatigue and hunger. His last words, the instant the iron-collar was about to be placed about his neck, were, "*I die for Cuba.*" If the people of the United States hope to preserve their freedom, they must refrain from trampling on the ashes of its martyrs; and if those of Cuba ever become free, or deserving of freedom, they will erect statues to Narcisso Lopez.

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PRACTICAL ANNEXATION OF ENGLAND.

In our number of July, 1846, we, under this title, discussed the tendency of affairs to an absolute subversion of all commercial restrictions between the United States and Great Britain, as completely as now exists between the states of this Union or between the distinct sovereignties which compose the German Customs Union, or "Zoll Verein." The barbarous policy of self-imposed restraints upon individual action, under the supposition that national benefits result, is falling into disuse before the growing intelligence of the age. The evils flowing from such a policy are becoming recognized as national misfortunes, to be remedied only by the prompt adoption of a new system. The following memorial from a distinguished source, was recently laid before high official authority in Great Britain, and was approvingly and cordially entertained in that quarter.

London, *August* 2, 1851.

Sir,—Reflection has increased the importance of the subject which I had the honor to present for your consideration the other day; I have, therefore, written out my views, which I now present for your consideration.

I would propose the abolition of all restrictions, and of all customs dues on the commerce between England and the United States, their possessions, colonies, and dependencies, so that an English vessel might enter and discharge a part or the entire of her cargo at any port in the United States or within its possessions, and reload and proceed to any other port within the United States, or to any foreign port, precisely as if belonging to, or under the flag of the United States; and the same to be granted by England to any and all vessels under the flag of the United States, entering English ports, or those of her colonies or dependencies; and the cargoes of all such vessels, when being of the produce, the growth or manufacture of either of the two nations, to be free from customs or import duties; but should their cargoes, or any part thereof, be of the produce, the growth or manufacture of any nation or country which shall not have entered into and adopted the same reciprocity, it shall be subject to such import duties as may be fixed upon, by the legislation of England and the United States separately.

The great importance to England of such reciprocity with the United States must, I think, be easily seen and readily admitted.

First: The amount of revenue from imports of American produce is comparatively small; on the principal article, *cotton*, none at all.

Second: England produces no staples, except iron and coal, and no food for export; but on the contrary, imports largely of staples for manufacture and of food. England desires to, and must, exchange her mechanic products for food and staples.

Third: The United States produce the principal staples (some almost exclusively) required by England, and food also, at less cost and in greater abundance, and at the same time consume a greater amount of English mechanic products than any other nation or country, which consumption is daily and yearly increasing in amount, in the same ratio with the increase of the population of the United States, which will double in the next 22½ years; besides, the geographical position of the two countries is such, as to afford to each a better and cheaper means of transport from their exchanges with each other, than with any other part of the globe.

Fourth: The United States, the greatest agricultural country of the world, as a whole, would be vastly benefited by such a reciprocity, because it would, beyond any doubt, immensely augment the demand for her agricultural products, which

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require no legislative protection; and which great interest is becoming unwilling to submit to any indirect taxation at its own expense, and for the sole benefit of a number of local interests, which together are small compared with the great agricultural, the foundation and support of all. The people of the United States, particularly of the great Mississippi basin, are fast beginning to see the great evils from the present system of indirect taxation, and will, I think, very soon be ready to change to one which would not only greatly lessen the expenditures of the federal government, but also vastly lessen its patronage and consequent corruption. From my acquaintance with the views of the people of many of the different states, I have no doubt, if England will take the lead in proposing this reciprocity, that it can be adopted.

In England it would, I think beyond a doubt, receive the warm support of the iron and coal, of the mechanic and manufacturing interests, as well as that of the shipping and commercial interests. Ireland would, no doubt, favor it, as would the Canadas and all the colonies. The only interest in the two countries that could be opposed to it, are in England, the agricultural; and in the United States, the manufacturing; they are opposite, and fully illustrate the unnatural commercial position which these two interests have placed the two nations in towards each other; but these two interests should not complain of the proposed change: Because,

1st. The great advantages which each possess in the cost for transport, should be their sufficient protection.

2d. It would admit of an equal and just distribution of burdens upon all interests, and prevent the unjust and unequal imposition upon one interest for the benefit of another; and who, in justice, could complain?

3d. The proposed reciprocity would, beyond a doubt, vastly augment the products, and the exchanges and consumption of those products, by and between the different interests of the two countries, to the great benefit of all, and enable them to meet their full share of any burdens necessarily imposed upon them; and the prosperity of these great interests, would beyond a doubt, not only greatly benefit, but relieve the two opposing interests of a part of these present burdens.

And now let us look at the probable result, should England and the United States adopt this reciprocity? It would, beyond any doubt, augment the commerce, intercourse, and exchanges of the products and commodities of and between the two nations to an unlimited—to an incalculable extent.

The United States, possessing that immense wilderness of fertile earth, an area sufficient to give homes to the surpluses of Europe for ages to come, whose products would supply almost all of England's wants, and make exchanges to the mutual advantages of the two nations; peace and good will would exist, a union of interests would be established and supported, which would require no army or navy on either side for its protection.

It will be said that other nations may not adopt the same system of reciprocity: what then? Why, it would but increase the harmony, the commerce and intercourse between England and the United States, as together they would not only control the commerce of the world, but would become the world's carriers, and would rise together in wealth and power, while other nations would sink under the burdens which their people could not support. But suppose that the same system of reciprocity should be generally adopted: what, then, might we expect to see? Not only commerce, but all interests and branches of industry would be loosened from the legislative shackles with which they are now embarrassed and restrained, and would be conducted and carried on as individual enterprises, and each protect itself; navies would be no longer wanted, and armies might be disbanded, and the labor of the world at large relieved from a great part of the burdens now imposed upon it.

The first consideration or principle in government should be economy. Now, it must be plain to all minds, that the larger the number of officials, servants and dependants, as well as those of armies and navies, employed by any government, the greater must be its burdens, particularly because they are *all* of the class of largest consumers, and do not produce any part of their own support, or any-

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thing towards the support of the government who employ them; but, on the contrary, they draw their support from the labor of the people, and tax and burden the nation, and actually lessen the amount of its wealth and resources, just double the outlay for their support—besides, it is the actual loss of so much which should be the best and most available labor of the nation. The proposed reciprocity would change all this, and give to the world the avails of a vast amount of the very best labor, from those who are now a tax, a burden, yes, a moth, eating up the richest garments of the nation—a rust which is fast corroding and destroying their very vitals.

Now, as labor is the source of the wealth and power of all civilized nations, then is it not clear that the larger the amount of produce from, and the better the condition, of the laborer, the greater would be the amount of power and wealth of the nation?

It may be said that such a system is too bold, too radical, and that it requires time; then give to it time, say five years. It can be carried into effect only by the legislative acts of the two nations, which acts must be prompted by the people. Let the subject be properly and fairly placed before the people of both nations, and I have no fears for the result.

I am fully persuaded of its great importance to the United States, and believe that the public mind there is fast ripening to it, and have not the least doubt of its ultimate adoption, and at no distant period. But the two nations together could force it upon the world; and who can doubt the great, the vast, the incalculable benefits that would flow from it?

Most respectfully.

During more than 150 years, what is called the protective and funding systems, were in operation in Great Britain under the guidance of an aristocracy, which, while it sought to raise the position of England in the scale of nations, also sought to raise and strengthen its order at the expense of the people within the nation. The joint action of the two systems alluded to, were admirably calculated to attain this object.

The support of the government, the cost of wars, the revenues of the landed gentry, and the wealth of the aristocracy, were all drawn from labor, by the operation of the indirect taxes through which the "protective system" acted: while labor produced everything, it was required to pay everything; and its exercise scarcely yielded to the operator more than sufficient for his daily food, and frequently not that, at the high prices which the protective system compelled him to pay the landholders for it. A complete enslavement of labor at the service of capital resulted; and when the return of peace, in 1815, left the nations of Europe at liberty to rival England in manufactures, the long servitude of labor in that country had so reduced its value, that Great Britain could sell labor cheaper than any other people. She had coal, iron, flax, copper, &c., with other natural wealth, for sale in abundance; but her great staple was cheap labor. One hundred and fifty years of protective laws had reduced the people of England to a state of beggary and "pauper labor," and it had amassed capital in the hands of a few. The unnatural co-operation of that capital and pauper labor enables England to supply goods very cheap, because the profit on all the labor, instead of remaining with the workers in a factory, goes only to the few capitalists who own it; and what is to them a large profit, would be only a very small one divided among all. The majority of the laborers are unable to consume much of the goods they produce, because the wages of their labor only equals the cost of the food they eat. The operation of the present policy of England is to raise the condition of labor in England, by giving it a greater reward; that is, to ena-

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ble those producers to consume more of what they produce, to allow them wearing apparel in addition to food. It is this ability to consume which constitutes the superior condition of the American people. As an instance, the United States exported, in 1850, but $4,734,424 of cotton goods; yet in that year they manufactured 499,269 bales, or 198,107,600 lbs. of cotton. In 1829, England manufactured the same quantity, but she exported £17,535,006, or say $85,000,000 worth. From the same quantity of cotton as is now manufactured in the United States, she exported $81,000,000 of cloth more than we do now. We not only consumed all that vast quantity, but imported over twenty million dollars besides. That is to say, with a population of 23,000,000 we consumed $100,000,000 more cotton goods than did Great Britain with the same number of population in 1830; or, to put the figures together—

	Raw Cotton consumed, lbs.	Value exported.	Imported.
Great Britain, 1830	204,097,037	$85,000,000	250,000
United States, 1850	198,107,600	4,734,424	20,108,719

Now, deducting the exports from the imports, leaves $15,374,295, which, added to the English exports of 1830, gives a difference of over $100,000,000 in favor of United States consumption. The goods are more valuable to the people to use than to export. Now if those cotton workers and others had, through inability to buy, gone without shirts, receiving, as under the English protective system, only enough wages to get bread, and the whole $100,000,000 had been exported for the profit of capital, the protective system would have been vindicated. It was that complete and absolute enslavement of labor at the service of capital, which resulted from one hundred and fifty years of protective policy, which made England's monopoly world-wide and complete. The hour of that monopoly has struck, however, and with the improved condition of England's workers, the monopoly founded on their misery will cease to be.

The late census returns show an immense diminution in the number of people in Ireland and England. The increase of "surplus population" is evidently checked; and, with a growing scarcity of labor, its price must advance, so as to deprive England of the power of exporting "cheap labor," on which ability her whole extensive commerce depends. The mode which the government adopted to enhance the wages of the people without making the labor come any dearer to the manufacturer who must export the goods, was, by removing those protective laws designed to confer high prices for food upon the landholder, and for other necessaries upon other parties, to enable the worker, for the same amount of money which he receives from manufactures, to buy not only food enough, but also some clothes and other necessaries. The revenue which these "protective" laws yielded, was replaced by taxes on income over £150 per annum. Thus, without directly raising the money value of labor, England's great staple export, the worker was actually endowed with more wages. The income, or direct tax imposed upon all incomes over £150, or $725 per annum, yielded Great Britain £5,630,000 in 1850; and it is to be remarked, that of a population reaching in that year to 20,919,536 souls, there were only 147,659, or one out of every 142 persons who procured an income over $725, while there are 49,707 persons having an income over that sum in public offices; that is to say, out of 143 persons in England, only one has a revenue as high as $725 per annum, while the

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average of the 147,659 who pay this tax, is $2,000 per annum. In these figures, we have the evidence of the general poverty of the people, while the nation possesses immense wealth.

In the United States, the comparative absence of those protective laws has permitted a more general diffusion of wealth. The worker here has not as yet been enslaved absolutely to capital, and labor obtains not only food, but clothes and other comforts. A labor which costs capital so much, cannot well be exported in competition with that of England, where protective laws have enabled capital to obtain it at a lower price. It is therefore the case that, of the products of industry, the people of the United States consume more of their own manufactures than the people of England do of theirs. This may be thus illustrated. The exports of United States produce to Great Britain for four years, and of British productions to the United States for a similar period, are as follows:—

	British Exports to U. States.	U. States Exports to G. Britain.	U. States Exports to G. B. & Ireland.
1848	£10.947,161	$73,869,237	$86,266.935
1849	9,564,909	65.383,450	67,762,741
1850	11,971,028	72,711,950	76,628,294
1851	14,891,961	67,708,709	68,733,730
Total	£47,375,059	$279,673,346	$299,391,500

The average of these four years is $57,323,800 of British exports, per annum, to the United States, and $74,847,800 United States exports to the United Kingdom.

ANNUAL PRODUCTION AND EXPORT OF THE UNITED STATES AND GREAT BRITAIN.

	Great Britain.	United States.
Annual Productions	1,185,600,000	1,082,854,000
" Exports	187,200,000	134,900,000
" U. S. Exports to G. Britain	——	74,847,800
" British " to U. States.	53,323,800	——

Thus, while England takes more than half of the raw products exported from the United States, the latter takes in return about one-fourth of the gross exports of the British islands. Placing the population of the United States at an average of 22,000,000, the consumption, per head, of British goods, is $2 60 per annum. The population of the British islands being 27,000,000, they take $2 77—leaving out Ireland, the average is $3 49, per head, of United States produce consumed in Great Britain. That is to say, a British population of 21,000,000 takes 89 cents per head more of the United States products, than an American population of 22,000,000 takes of British products. It is calculated that the United States consumption of British goods is quadruple that of any other nation with which England deals. These facts show, in a strong light, the degree of dependence which has sprung up mutually between the two countries. The consumption per head, in each country, as results from the above figures, appears to be nearly as follows:—

	Per Head.
British consumption of United States goods	$2.77
British home consumption	37,00
Total British consumption,	$39,77
British Colonial "	7,00
" Indian "	22
United States home consumption	49,00
" consumption of British goods	2,60
Total United States consumption	$51,60

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It would seem from this return, that the United States use, in their consumption, 5 per cent. of British goods, and the people of the British islands 8 per cent. of United States produce. A more uninterrupted trade between the two countries would doubtless tend to place the mutual productions more on a footing with the home trade; that is to say, greatly enhance the quantities consumed by each. It is evident that if the United States consumption of British goods were raised, through more extended sales of produce, $1 per head, and a corresponding increase in the British consumption of United States produce resulted, the international trade would be enhanced $50,000,000, and the home markets of each in a far greater ratio, because the whole production of the staples of each would be increased in value, under the law of supply and demand, to an extent greater than the value of the enhanced export. The restrictions formerly imposed by England upon most articles of American produce, have been mostly removed; that is to say, cotton, corn, oil, and many other articles, are absolutely free, and the abrogation of the navigation laws has placed the international trade upon a still more favorable footing. The article of tobacco, however, still pays an inordinate tax, because the exigencies of the British exchequer require the large sum which is derived from it. They are, however, willing to forego that tax, and to abolish all other still existing restrictions, or, in other words, form a complete commercial union, practically the same as exists between the states of this Union: and this not only between the Imperial Islands and this country, but also with all the vast possessions of that country, in all parts of the world; that is to say, that an American vessel, with an American cargo, may as freely sail the waters of Great Britain, either the Thames, the Mersey, the Indus, or the Frith of Forth, as may now do a British vessel; and that, in return, a British bottom shall be as free upon the Mississippi, the Hudson, the Columbia, or any other American water, as a Massachusetts vessel is now free in New-York bay.

The first practical operation of this would be some disturbance in the currents of business; but new channels would immediately form, and the cheap land of the United States be immediately available to the cheap capital and labor of England; and the cultivators of American soil would immediately come in possession of all the advantages of British skill and capital in working up, and remunerating them for their produce.

The United States produce the great staples in the greatest abundance, and these are now transported to England, where the cheap labor is there added to their cost, and the goods sold in markets, which the diplomacy and skill, not to say violence and fraud, of the English government, have in a long series of years opened to her merchants. If now, through a removal of international restraints, the value of labor is raised in England to a level of that in this country, the great attraction for the raw material to the British islands, cheap labor, will then have ceased. The large item of transportation will then operate upon capital, causing it to seek a location near the growing materials, and the capital and skill of England will follow its labor, which is now so rapidly migrating. If vessels from the United States can have free access to every market where those from England now sell goods, the agency of the British islands in the transactions will cease.

In Western Europe and Eastern Asia there are large "surplus populations," so defined by domineering capital; between those populations lie

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the vast and fertile fields of the American continents, and it requires no wizard to foresee the enormous empire which is to grow up on this virgin soil, peopled by the commingled nations of the world. To bring the capital and wealth of England, by commercial union, to the aid of this process of settlement, is vastly to facilitate it by conferring wealth upon the agriculturists, and stimulating the occupation of the land.

Under the system sketched out in the above memorial, the United States would enjoy almost the exclusive right of supplying England with the ninety million bushels of corn which she annually requires, worth $100,000,000. The free admission of tobacco would swell the value of that article to $50,000,000, while cotton already reaches $80,000,000, and the general stimulus which would be imparted to the prospects of the English people, would enhance the powers of consumption, until our sales would quadruple the present amount.

The material well being of the country resulting from the abrogation of all custom-house regulation between the two nations, is indeed a great and desirable object; but it sinks in importance when compared with the vital necessity of placing the finances of the federal government on the footing necessarily involved in an abrogation of indirect taxes. These taxes not only operate directly and strongly in aid of the natural tendency of wealth from the possession of the producing many into the hands of the few, but they afford the government that uncontrolled command of means which swells with national prosperity, and becomes an efficient agent in that machinery of patronage which every year is becoming a more potent instrument in aggrandizing individuals at the expense of republican principles. The large patronage of the federal government, even when it involved an expenditure of but twenty-six millions per annum, was sufficient to impart a very dangerous asperity to the excitement of party feelings. Under the present administration, favored by the productiveness of a "revenue tariff," the expenditures have risen to sixty millions per annum; and the mode in which that immense sum is applied, has been but too apparent in the history of the "Galphin cabinet." The present tariff has been prolific in an eminent degree, yielding for the fiscal year 1851, $50,000,000, and will probably yield not much less for 1852; but whatever sum it yields will be spent, and this is one of the great evils of the tariff system. Such a law once passed operates of itself from year to year; and when Congress meets annually, it is not called upon to supply money to the government, but only to vote away what, as in the present case, has been collected under a law passed, five years since, by another Congress and another administration. The fifty millions of dollars which the American people paid to the government in 1851, was collected by virtue of a law passed in 1846, and which was not calculated to yield more than three-fifths of that sum. The money has not been raised during the year because the exigencies of the government require it, but it has come into the treasury through the operation of a law passed to suit another state of affairs. Hence the sound course of legislation is entirely reversed. The common-sense mode of proceeding is, for Congress to examine the accounts of the treasury, fix the necessary sum wanted, and then indicate the mode in which it shall be raised. Instead of that, Congress meets, and is informed, that without its volition at all, some fifty-five to sixty millions dollars will flow into the treasury, and it is requested to sanction its expenditure, in every form which the administration, which is

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also the head of a party, adopts, as the best mode of dividing the money under color of law, among its followers. This evil is of daily increasing magnitude; corruption has reached that grade of cabinet officers, who, with the connivance of the chief magistrate, openly, under pretence of claims, divide the people's money among themselves.

In the several states where the expenses of government are raised by direct taxation, this operation of corrupt patronage upon the fortune of parties is far less marked. In New-York, the new constitution was supposed not only to diminish the number of officers controlled by the executive, but also to curtail the money spent among them. An unscrupulous and desperate party have, however, found means to borrow money for party patronage in violation of the constitution; and the men who thus purchase state support to illegal proceedings, are they who are most clamorous for a still more extended federal expenditure; and their success in the state is an augury of the recklessness with which large sums illegally raised will be lavishly expended in the purchase of supporters in an assault upon the federal constitution. Already party divisions have been so far fortunate that very grave doubts may be entertained whether the people will ever again elect a chief magistrate; and the patriot, in the face of passing events at Washington, may well tremble for the fate of the country, when a revenue of sixty to one hundred millions per annum is at the control of any candidates who may come before the House for election.

The electors themselves may not be safe from influences, and sufficient electoral colleges may announce a President, whose name will be a surprise, and whose rule a disaster to the people.

There can be no end to the evils that are likely to flow from the increasing expenditure of the government, more particularly if, unfortunately, the system of internal improvements should swell its dependants, and place their remuneration beyond congressional regulations.

The prompt action of the people is required now, while the evil may yet be arrested, to discontinue all modes of raising money, which operate longer than for the single year. The taking from the government the patronage of the Custom House and Post Office, and inhibiting its connection with any public work or corporation, as well as the hundreds of useless jobs that are got up to reward its partisans, and requiring the sum necessary for the service of the year to be raised and paid within the year, will go far to purify the elections, and take from unscrupulous men, and the reprobate preachers who aid them in their unholy designs, all motives for promoting treason, murder and anarchy, for the sake of the chances of personal profit. One hundred millions per annum is a large bribe to ambitious disturbers of society, and a powerful instrument in the hands of an able leader. It is one which should not exist. The national safety, and the national welfare too, require that trade should be emancipated by the removal of all duties, and that the elections should be freed from corrupt influences, by instituting a direct and annual mode of raising an economical revenue.

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SOME IRISH POETS.

(Continued.)

In June, 1849, at the Meath Hospital in Dublin, amid the dying and the dead, there lay stretched upon a coarse pallet, and attended by the pensioned physicians of government, a man in the agonies of death: his hair, whiter than the sheets in which he was enwrapped, clustered round a forehead moulded with the poet's beauty; his bright blue eyes had a deep meaning, as if they looked far into the hidden mysteries of nature's being, and knew "the thrilling secrets of the birth of time;" and the calmness of his elegant features, the almost feminine softness of his voice, even in that hour of agonizing distress, made his attendants feel conscious of the presence of a superior being. Noiselessly they moved around his bedside, applying their restoratives, and watching with eager hopefulness the aspect of his countenance, varying from despondence to animation, from calmness to pain. Long and manfully did that wasted frame grapple and struggle with its giant enemy; but the hour of triumph came, death had won the victory, and James Clarence Mangan lay in his winding-sheet, on a table in the dead-house. To fill the picture, we take the better language of one who gazed upon those features calm in death, and beautiful in their tranquillity.

"I hastened to the hospital to ascertain if this report of his death were correct. There, for the first time, I beheld James Clarence Mangan. Wrapped in a winding-sheet, and stretched upon the table of the dead-house in the Meath hospital, lay the poet whose works had so long formed the theme of universal admiration, an attenuated corpse, wasted to a skeleton, by want, and sickness, and misery, and despair.

From the house-surgeon of the hospital I learned the following sad records of the last hours of this great master of English verse.

In the month of June, 1849, the cholera-morbus raged in Dublin; temporary hospitals were erected by the board of health, for the reception of pauper sufferers by this disease, and servants of the board were dispatched with carts to all parts of the city, for the purpose of bringing to those hospitals the persons attacked by this dreadful epidemic.

While searching for this purpose an obscure portion of Dublin, the servants of the board of health were informed, that the tenant of a single room, in one of the most wretched houses of the neighborhood, had been for sometime confined to his bed, and was supposed to be suffering from cholera-morbus. They ascended to the lodging thus indicated, and there, stretched upon a wretched pallet, and surrounded by proofs of the most squalid misery, they found the wasted form of a man, insensible from exhaustion. Believing that he was reduced to this state by cholera, the servants of the board of health placed the sufferer in their cart and conveyed him to the North Union Cholera Sheds.

In this miserable wreck of hunger and misery, the attendant physicians recognized James Clarence Mangan. Upon examination it was found that his disease was not cholera, but absolute *starvation*. He was immediately

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transmitted to the Meath Hospital, where everything that skill and kindness could suggest for the purpose of reviving the expiring spark of life was attempted—and attempted in vain. This unfortunate child of genius sank hourly, and died shortly after his admission to the hospital; exhibiting to the last his gentle nature, in repeated apologies for the trouble he gave, and constant thanks for the attendance and assistance afforded to him.

In his pocket was found a volume of German poetry, in translating which, he had been engaged when struck down by his last illness. In his hat were found loose papers, in which his last efforts in verse were feebly traced by his dying hand. Laboring to the last in his noble art—striving to obtain a morsel of bread by the production of the finest compositions—and striving in vain, poor Clarence Mangan died; an honor to his country by his noble writings—a disgrace to it by his miserable fate."*

Yes, an honor to any land, an honor to the world in which he lived; and it must be ever a bitter reproach, a stain upon the escutcheon of his better blessed countrymen, that he died thus.

We have succeeded, after a considerable amount of difficulty, in obtaining some few facts of Mangan's life, and knowing with what interest they will be regarded, we take pleasure in making room for them. Of no man, equally deserving, is so little known, even by his own countrymen, and it is probable that but little more will ever be made public.

He was born in Dublin about the year 1811. Very little is known of his early life, except what has been learned from himself; but it is evident that he never enjoyed the advantages of an academic education. At sixteen he entered a notary's office in the capacity of a scrivener or clerk, and during the time of his legal labors, he perfected himself in a knowledge of the German, Italian, Spanish and Scandinavian languages, mastering not only these various languages, but likewise making himself acquainted with all the great writers in poetry and prose. The death of his father, while yet at an early age, threw upon him the entire burden of a mother and sister, and he toiled for them with an affectionate assiduity which continued through their lives. The position of a notary's clerk in Ireland is different from what it is here. The clerks form as distinct a class as doctors, attorneys or barristers. Their salaries are small, but proportionately greater than in America; they receive from eighty to ninety or a hundred pounds sterling; and their duties are much more onerous and perplexing. Here a clerk in a law office is generally allowed leisure, and afforded opportunities to perfect himself in a knowledge of the profession; and many of the most famous men at the American bar have risen from humble clerkships. In Ireland, there is no rising from the ranks; a clerk in youth remains a clerk in his older days, except some fortuitous circumstance gives him the means to purchase a position among his wealthier superiors.

Mangan's ambition soared beyond the engrossing of deeds of conveyance, or bills in Chancery, and he soon quitted his clerkship in the law for a profession more laborious and less remunerative—literature.

He must have been "over age" when he became a contributor to the "*Dublin Penny Magazine*," in which he published many of his finest poems over the signature of "Clarence." Some of these poems, written as far

* Romances and Ballads of Ireland. Edited by H. Ellis. Introduction, p. 15.

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back as 1832, have gone the round of the world, and many who have found delight in their beauties, never known their author. A curious coincidence occurs between one of those early poems, and the great modern work "*Festus.*" In the latter, it is asserted that the end of all theologies, is "endure and love," and the poem of Mangan's to which we allude, concludes,

> "And all philosophy, all faith,
> And all divine and human lore,
> The subtlest thought of man, but saith
> Endure—adore!"

Mangan was principally supported by the *Dublin University Magazine*, to which he and Samuel Ferguson were the principal contributors. Here were published the "Lays of Many Lands," translations from almost every language ever known to the world; portions of the German Anthology, the *Literæ Orientales*, and many miscellaneous poems, national and imaginative.

The death of his mother and sister left him alone in the world, with no relation, saving a half-idiotic brother, with whom he always shared his own scanty means. His intellect remained unclouded, but his habits became irregular, and his course of life a curse to himself, and a source of regret to his friends. He continued to write, but only when forced by necessity; and when he had accumulated a small sum by his writings, he laid down his pen for the bottle, and forgot his intellect in his carousals.

In 1842, the *Dublin Magazine* (to which Thomas Davis largely contributed) was started, and Mangan wrote for it many articles of uncommon beauty; amongst other papers a "tale," which unites the immense analytical power of Godwin to the power of minutiæ which distinguishes Dickens.

In 1843, through the interest of Dr. Petrie,—the celebrated antiquarian—Mangan obtained a situation as catalogue-maker to the library in Trinity College. Dry work for a poet! He was forced to clip off his long, fair moustache, and conform to the ordinary work-day world habits. He did not hold his place long. In three months the moustache re-appeared, and Mangan lost his place.

Darkness now gathered over his path; alone in the world, caring for none, and cared for by few, he gave way to the most violent excesses, and became, we blush to record it, a habitual inebriate. Yet, at times, the vigor of his mind rose above its debasing slavery, and told to the world startling truths in mighty language. After a long struggle, intellect became again triumphant, and Mangan resumed his place among the most gifted men of his day. He was persuaded by Thomas Davis, the poet, and propagandist of the great truths of human liberty, to join the "Young Ireland" party; he did so, and until his last hour, strove with great zeal in the cause of his native land.

Mangan's last friends were the editor and proprietor of the *Irishman*, a journal of great influence, and which became so formidable that it was proscribed by the government, and a reward offered for the heads of the men who conducted it. These friends were Joseph Brenan, and Bernard Fullam; by them Mangan was treated with kindness and respect. His uncomplaining nature, and erratic habits, never disclosed to them his great wants, and they never knew where to seek for him. After his death they, in connection with the Rev. Mr. Meehan, a Young Ireland priest, performed the last sad offices, at a time when all others had deserted him.

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Such is the brief outline of the life of one of the greatest of modern men; a man who displayed in his writings a wonderful genius, and in his generous nature a heart warm to sympathize with all mankind. The kindness he bestowed upon others was never returned to himself, and the remuneration he received for his labors was a life of misery, and a grave. Mangan's personal appearance has been given by Mr. Brenan, in an article published in the *Irishman*, before the death of the poet, from which we copy.*

Having given the history of the *man*, we must now turn to the poet; we purpose dividing Mangan's various writings into divisions, and considering them separately. Thus: first his national poems; second, his translations from the German; third, his translations from other languages; lastly, his miscellaneous writings.

His national poems were principally written in the later years of his life, when he stood in the ranks of the Young Ireland party. They are marked by great vigor, and, in common with all his writings, with great command of language, and power of versification.

The great necessity of Ireland in her late rebellion, lay in the want of military leaders—there were men enough to fight, but they had no great master-men to enrol them under the green flag, and lead them into the field. We scarcely believe that even if there had been such, they would have achieved complete independence, for the enemy with whom they grappled was a mighty one; but they could, at all events, have forced concessions, and lain the seeds of ultimate success. Had they but possessed such men, they could have retired into their mountain fastnesses, and, by constant depredation and guerilla warfare, have so much distressed the enemy as to make peace welcome, even at a sacrifice; but, as it was, without skilful leaders, half-armed, half-fed, and miserably clothed, it could not be expected that they should long hold out: a pike is but a poor substitute for a musket, and resolution, without weapons, will not always be effectual against grapeshot. A knowledge of the science of guerilla warfare would have greatly aided them. But this is wandering away from the subject. We were about to remark that Mangan saw this necessity for leaders learned in the science of warfare, as may be judged from his grand poem, from which we make an extract.

A HIGHWAY FOR FREEDOM.

"My suffering country shall be freed,
And shine with tenfold glory!"
So spoke the gallant Winkelreid,
Renowned in German story.
"No tyrant, even of kingly grade,
Shall cross or darken my way!"
Out flashed his blade, and so he made
For Freedom's course a highway!

* He is a middle-sized man, infirm-looking and stooped, moving on slowly, and with noiseless steps. His hair is white as new-fallen snow, which gives him the appearance of age before he is old. "One man may live longer in thirty years," says Shelley, "than another who drags out the chain till sixty," and in thirty and some odd years this man has lived long enough to be gray. His face is calm, though marked with thunder scars. His eye is inexpressibly mild and beautiful. The mouth has lost the charm which it once had, but the forehead is unwrinkled, and white as ever. His figure is wasting away—the sword is eating through the sheath; he moves seemingly in pain, and plainly his hour is not far off.

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We want a man like this, with power
  To rouse the world by *one word;*
We want a chief to meet the hour,
  And march the masses onward.
But chief or none, through blood and fire,
  My fatherland, lies *thy* way!
The men must fight who dare desire
  For Freedom's course a highway!

Alas! I can but idly gaze
  Around in grief and wonder;
The People's will alone can raise
  The People's shout of thunder.
Too long, my friends, you faint for fear,
  In secret crypt and by-way;
At last be men! Stand forth, and clear
  For Freedom's course a highway!

You intersect wood, lea, and lawn,
  With roads for monster wagons,
Wherein you speed like lightning, drawn
  By fiery iron dragons.
So do! such work is good, no doubt;
  But why not seek some nigh way
For *Mind* as well? Path also out
  For Freedom's course a highway.

Yes! up! and let your weapons be
  Sharp steel, and self-reliance!
Why waste your burning energy
  In void and vain defiance,
And phrases fierce but fugitive?
  'Tis deeds, not words, that *I* weigh—
Your swords and guns alone can give
  For Freedom's course a highway!

This is a poem of no common spirit; it has a high tone of vigorous originality; and has the merit of telling plain, honest truths, in a language most fitted for their expression; but it is a poem of the reason rather than of the imagination, and does not reflect upon Mangan the credit, as a poet, which is displayed in many of his more imaginative pieces.

"Have Hope," is another of the same class, equally fine, but, like the foregoing, argumentative rather than imaginative; as such, we present extracts from it to the reader, calling particular attention to the simile of a heart grown hardened by contact with the world, until the poet "struck it," and it hurt his hand, which, to our fancy, is exceedingly expressive.

Have hope, my friend! The future's voice
  Peals like a trumpet from afar,
It bids our drooping land rejoice,
  And look to truth's eternal star.
Have Hope! The illuming hour draws near
  When love shall conquer pain and ill,
And all the hosts of hate and fear
  Go down before the might of will.

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Have ever hope! though many a woe
  Hath darked thy life's disastrous day,
The tempest doth not always blow,
  The lightning rarely strikes to slay.
Sinks not in golden sheen from heaven
  The sun beneath his ocean tomb?
So shalt thou shine in manhood's even,
  Ere thou descend to Hade's gloom.

The wise, the thoughtful, know full well
  That God doth nought in vengeful ire;
But this deep truth all ages tell—
  He purifies His own by fire.
Woe to the man who knows not woe—
  Who never felt his soul grow dim!
Him threateneth dreadful overthrow—
  Heaven's love and care are not for him.

I, too, have borne, unseen, alone,
  My own deep griefs, griefs writ on sand,
Until my heart grew like to stone—
  I struck it, and it hurt my hand.
My bitter bread was steeped in tears,
  Another Cain's mark marred my brow—
I wept, for long my wasted years—
  Alas! too oft I weep them now!

Second in importance, and likewise, in the order we have adopted, we will pass to those poems collected in two volumes, published in 1845, entitled German Anthology. Here Mangan's genius is strongly marked, both in the ideas and language: for one thought in the original poems, we have a round dozen in the so-called translations, and in many instances they are remarkably elegant and striking. The weird and wild nature of Mangan's thoughts made the German poetry pleasing to him; and its vague visionings and superstitions, its terse and pointed expressiveness, made it a delightful task for him to labor in a field so congenial to his own heart. He has given us translations from Goethe, Schiller, Freilegrath, Uhland, Tieck and others; and if they have not the merit of fidelity in language and manner, they have preserved in them the spirit in which they were originally written. This is a rare merit; there are but few instances in which translations do not want the spirit of originals. This objection can never be urged against Mangan's German Anthology, though perhaps the objections we have already suggested will with many bear an equal weight.

We select, as a second extract, a poem which has already attracted considerable attention, "The Ride Around the Parapet." It has been praised by some on account of its vivid pictures, and decried by others because of the frequent repetition of the heroine's name. The praise should outweigh the censure, for, to our thinking, the latter is but a trivial objection. The frequent repetition heightens the music of the poem, and as it falls regularly on the ear, it has all the effect of a beautiful melody. The same hypercritical persons who condemn this poem on that score, would likewise condemn Poe's "Bells," never thinking for an instant that, in the frequent repetitions, the poet had given us the exact swing and sound of the ponderous bell. The poem is too long to be given entire, and too good to be entire-

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ly lost, so we will endeavor to give a correct idea of it in as short a space as possible. It commences:

She said, "I was not born to mope at home in loneliness,"—
The Lady Eleanora von Alleyne.
She said, "I was not born to mope at home in loneliness,
When the heart is throbbing sorest there is balsam in the forest,
There is balsam in the forest for its pain,"
Said the Lady Eleanora,
Said the Lady Eleanora von Alleyne.

She doffed her silks and pearls, and donned instead her hunting gear,
The Lady Eleanora von Alleyne.
She doffed her silks and pearls, and donned instead her hunting gear,
And, till Summer-time was over, as a huntress and a rover,
Did she couch upon the mountain or the plain,
She, the Lady Eleanora,
Noble Lady Eleanora von Alleyne.

Returning home again, she viewed with scorn the tournaments—
The Lady Eleanora von Alleyne.
Returning home again, she viewed with scorn the tournaments;
She saw the morions cloven and the crowning chaplets woven,
And the sight awakened only the disdain
Of the Lady Eleanora,
Of the Lady Eleanora von Alleyne.

"My feeling towards man is one of utter scornfulness,"
Said Lady Eleanora von Alleyne.
"My feeling towards man is one of utter scornfulness,
And he that would o'ercome it, let him ride around the summit
Of my battlemented Castle by the Maine,"
Said the Lady Eleanora,
Said the Lady Eleanora von Alleyne.

So came a knight anon to ride around the parapet,
For Lady Eleanora von Alleyne.
So came a knight anon to ride around the parapet,
Man and horse were hurled together o'er the crags that beetled nether,
Said the Lady, "There, I fancy, they'll remain!"
Said the Lady Eleanora,
Queenly Lady Eleanora von Alleyne!

Then came another knight to ride around the parapet,
For Lady Eleanora von Alleyne.
Then came another knight to ride around the parapet.
Man and horse fell down, asunder, o'er the crags that beetled under,
Said the Lady, "They'll not leap the leap again!"
Said the Lady Eleanora,
Lovely Lady Eleanora von Alleyne!

Other knights came to show their gallantry and their devotion.

Till six and thirty corses of both mangled men and horses
Had been sacrificed as victims at the fame
Of the Lady Eleanora,
Stately Lady Eleanora von Alleyne!

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But when the woful year was past, there came no more knights to give proof of their daring; the

"Castles lonely basscourt looked a wild o'ergrown with grasscourt;
'Twas abandoned by the ritters and their train."

The stately Lady Eleanora gazed around her "sovran like," and mourned the decay of chivalry, and wishing that shame might light upon the courtier who disdained to wear a woman's chain. When

The story reached at Gratz the gallant Margrave Gondibert
Of Lady Eleanora von Alleyne,
The story reached at Gratz the gallant Margrave Gondibert,
Quoth he, "I trow the woman must be more or less than human;
She is worth a little peaceable campaign,
Is the Lady Eleanora,
Is the Lady Eleanora von Alleyne!"

He trained a horse to pace round narrow stones laid merlonwise,
For Lady Eleanora von Alleyne.
He trained a horse to pace round narrow stones laid merlonwise,
"Good Gray! do thou thy duty, and this rocky-bosomed beauty
Shall be taught that all the vauntings are in vain
Of the Lady Eleanora,
Of the Lady Eleanora von Alleyne!"

He left his castle-halls, he came to Lady Eleanor's,
The Lady Eleanora von Alleyne.
He left his castle-halls, he came to Lady Eleanor's,
"O, lady, best and fairest, here am I,—and if thou carest,
I will gallop round the parapet amain,
Noble Lady Eleanora,
Noble Lady Eleanora von Alleyne!"

She saw him spring to horse, that gallant Margrave Gondibert,
The Lady Eleanora von Alleyne.
She saw him spring to horse, that gallant Margrave Gondibert,
"O, bitter, bitter sorrow! I shall weep for this to-morrow!
It were better that in battle he were slain,"
Said the Lady Eleanora,
Said the Lady Eleanora von Alleyne.

Then rode he round and round the battlemented parapet,
For Lady Eleanora von Alleyne.
Then rode he round and round the battlemented parapet,
The Lady wept and trembled, and her paly face resembled,
As she looked away, a lily wet with rain;
Hapless Lady Eleanora!
Hapless Lady Eleanora von Alleyne!

He rode "round and round the battlemented parapet," while the Lady Eleanora watched him with the deepest anguish, cursing herself for her ambition in thus consigning to perdition a youth so noble. The "good gray" did his duty well, and he rode round and off to the Lady, who, after congratulating him, exclaims:

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"The Man of Men thou art, for thou hast fairly conquered me,
The Lady Eleanora von Alleyne!
The Man of Men thou art for thou hast fairly conquered me.
I greet thee as my lover, and, ere many days be over,
Thou shalt wed me and be lord of my domain,"
Said the Lady Eleanora,
Said the Lady Eleanora von Alleyne.

Then bowed the graceful knight, the gallant Margrave Gondibert,
To Lady Eleanora von Alleyne.
Then bowed the graceful knight, the gallant Margrave Gondibert,
And thus he answered coldly, "There be many who as boldly
Will adventure an achievement they disdain,
For the Lady Eleanora,
For the Lady Eleanora von Alleyne.

"Mayest bide until they come, O, stately Lady Eleanor!
O, Lady Eleanora von Alleyne!
Mayest bide until they come, O, stately Lady Eleanor!
And thou and they may marry, but, for me, I must not tarry,
I have won a wife already out of Spain,
Virgin Lady Eleanora,
Virgin Lady Eleanora von Alleyne!"

Thereon he rode away, the gallant Margrave Gondibert,
From Lady Eleanora von Alleyne!
Thereon he rode away, the gallant Margrave Gondibert.
And long in shame and anguish did that haughty Lady languish,
Did she languish without pity for her pain,
She the Lady Eleanora,
She the Lady Eleanora von Alleyne.

And year went after year, and still in barren maidenhood
Lived Lady Eleanora von Alleyne.
And wrinkled Eld crept on, and still her lot was maidenhood,
And, woe! her end was tragic; she was changed, at length, by magic,
To an ugly wooden image, they maintain;
She, the Lady Eleanora,
She, the Lady Eleanora von Alleyne!

And now, before the gate, in sight of all, transmogrified,
Stands Lady Eleanora von Alleyne.
Before her castle-gate, in sight of all, transmogrified,
And he that won't salute her, must be fined in foaming pewter,
If a boor—but, if a burgher, in champagne,
For the Lady Eleanora,
Wooden Lady Eleanora von Alleyne!

[To be continued.]

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NATURAL HISTORY OF MAN.*

I REGRET the necessary omission of the Rev. Dr. Bachman's "Unity of the Human Race, examined on the Principles of Science," in the list below, which is its appropriate place, because I suppose it to be the best of its class; but I could not procure it, and am unwilling to do it the injustice of naming it, and thereby, by implication, subjecting it, without having read it, to the remarks contained in this paper. Besides, if my appreciation of it is just, it will require a separate notice to do it and the subject justice.

It appears as if the decisive battle respecting the Unity or Plurality of the human species must be fought in these United States. Without fear, without favor, without affection for anything but *the truth*, the people of the United States constitute the only impartial tribunal for the trial of all the great issues relating to Man, and "a true verdict give according to the evidence."

It is more than three years since my Natural History of Man has been presented to the public. Most of the principles advocated in it being entirely new, and adverse to the standard European authorities on the subject, I looked with more than ordinary interest to the current periodicals and books for critiques on my work. It has been pretty extensively noticed by periodicals, and, with the exception of an unimportant article from the Rev. Mr. Van Duysen in the Christian Advocate and Journal, always with favor, (so far as I could discover,) until the productions at the head of this article came into my possession. None of the above works, however, directly controvert any general principle contained in my volume; but after doing me the honor of naming me with Prof. Agassiz, Dr. Nott, Mr. Gliddon, &c., they criticise and condemn these gentlemen, and compel me to take a full share of the condemnation for the honor they conferred upon me.

It happens, however, that I do not know that any of these gentlemen have a sufficiently high appreciation of my humble book to permit me to be condemned in their company; but whatever may be their opinions on the subject, although I am fully sensible of the honor of an association with these great men, I positively object to being foisted upon them, and am determined to stand by myself, unless the public should hereafter define my position, when I will demand the execution of the decree as a matter of right, not of favor,—and, least of all, by the favor of men who kiss to destroy.

The Rev. Dr. Smyth, in particular, has labored, with all the rancor and the spirit of the worst days of Rome, to fasten on me, as well as on Messrs. Agassiz, Nott, Gliddon, and Kettell, (the last of whom, unfortunately for

* "Unity of the Human Race." By Rev. T. V. Moore, Richmond, Va, Methodist Quarterly Review for July, 1851.
"First Things." By Rev. Gardiner Spring, D.D., N. Y., 1851.
"The Unity of the Human Races." By Rev. Thomas Smyth, D. D., N. Y. 1850.

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him, thought well enough of my book to review it ably and favorably,) the plague-spot of heresy. All the epithets at his command have been prodigally thrown at us, in the eager hope that the names of Cain, Rousseau, Peyrere, Voltaire, Paine, &c., would brand us with the "mark," the infidelity, and the infamy attached to these unfortunate moral lepers. The injustice done to me by such rabid denunciations becomes apparent from the fact, that throughout the body of his work he has not quoted a single passage from my book, nor controverted a single argument contained in it, unless the short paragraph in his Preface, p. 13, should be so regarded; and here his allusion to what I have said respecting the "sons of God" and "the daughters of men," is strangely connected with my remarks relating to the descendants of Noah—a blending I would not attribute to design, if the general character of his work would permit me to regard it as a mistake, or oversight. The only instance of the quotation of a passage from my work occurs in the Appendix, Note E, p. 364, of a single sentence,—viz: "that there is no analogy between man and animals which can assist us to classify man, or to understand his history,"—and yet, not satisfied with the anathemas he has vented upon me in general, when speaking of M. Agassiz and others, he concludes this note with the solemn and severe condemnation of Mr. Kettell and me in the following words, viz: "The whole *enormity of unchristian* inference practically consequent upon the theory of a diversity of races of men, *is perpetrated by these writers*, when *they* declare that the differences among men 'cannot be changed by advanced civilization, or any other means'—'that the philanthropic world for the last fifty years (by *missionary efforts*) has been proceeding entirely on a false assumption'—and 'that the effects of these efforts is to degrade the white species and to destroy the dark species,' whose destiny it is to be 'finally swallowed up.' This is nothing short of *an impeachment of the truth*, *a rejection of the authority*, and *a Cain-like denial of the charity of the Bible*, which makes every man the keeper of his brother man, and the guardian of his dearest blessings." See Smyth's Unity of the Human Races, pp. 394—395.

I was about to say that there is a want of Christian charity (of which he speaks so feelingly) in this wholesale censure; but Mr. Kettell and I would have been perfectly satisfied with the more humble virtue of *common justice*, which is due from every gentleman, every honorable literary man. I proceed to show that Dr. Smyth has not done us *justice*, and will leave it for him to draw "the whole enormity of unchristian inference practically consequent upon" such conduct.

1st. The language quoted by him is the language of my Reviewer, (excepting what is added by Dr. Smyth,) and I know not by what ethics I can be made responsible for what I did not see, and did not know anything of, until I read it in print, in the Democratic Review, at Troy, N. Y.

Having thus easily exhibited the injustice of condemning me for something in which I had no participation, with equal ease I can obtain the acquittal of my Reviewer, T. P. Kettell, Esq., though I regret that a minister of the gospel must be placed awkwardly by the proceeding. To do this effectually, I will quote in parallel columns, the language of the Reviewer and the language of Dr. Smyth, that the reader may see, at a glance, what the one said, and the other represents him as saying, viz:

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REVIEWER.	DR. SMYTH.
"We have noticed but slightly the anatomical difference which distinguishes the species of men, such as the existence of the colored skin, the *rete mucosum* in the black and not in the white, because they are too well known and admitted now to be brought into question. *They are specific differences which cannot be changed by advanced civilization, circumstances, or any other means,*" &c.	"The whole enormity," &c. "is perpetrated by these writers when they declare that the differences among men '*cannot be changed by advanced civilization or any other means.*'"

Mr. Kettell asserts, in language so clear, that it is impossible to be mistaken, that the "anatomical differences" "are specific differences which cannot be changed," &c.; but Dr. Smyth represents him as speaking of differences generally, intellectual and moral; and the words "any other means" to include, "*by missionary efforts*," as will be evident by reading the whole sentence. Again:

REVIEWER.	DR. SMYTH.
"It results from the establishment of the fact of specific differences in the races of men, that the philanthropic world, for the last fifty years, has been proceeding entirely upon a false assumption, and scientific facts are now developing the truth that the effect of these efforts is to degrade the white species, and to destroy the dark species. All naturalists admit the fact, that a mixed race is inferior to the white race," &c.	"That the philanthropic world for the last fifty years (by *missionary efforts*) has been proceeding entirely upon a false assumption"—"and that the effect of these efforts is to degrade the white species, and to destroy the dark species."

The language of the Reviewer is perfectly inoffensive to the most delicate conscience. He is speaking "of the fact of specific differences in the races of men" arising from "the anatomical differences which distinguish" them, and of which he had been speaking in the two sentences immediately preceding those quoted; and then tells us that philanthropic amalgamation abolitionists would "degrade the white species" and "destroy the dark species," because "all naturalists admit the fact that a *mixed race is inferior to the* white race." But it assumes another character by the words in the parenthesis ("*by missionary efforts*") interpolated by Dr. Smyth; and the offence becomes intensely aggravated by making the Reviewer say that the effect of these missionary efforts "is to degrade the white species, and to destroy the dark species!"

I designed to represent "the whole enormity of unchristian inference practically consequent upon" such conduct, but dare not trust myself to speak of it as it deserves. Every reader is competent to estimate it; and Dr. Smyth has expressed the character of it in the words, that it "is nothing short of an impeachment of the truth, a rejection of the authority, and a Cain-like denial of the charity of the Bible, which makes every man the keeper of his brother man, and the guardian of his dearest blessings."

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Having disposed of this preliminary matter, I will now proceed to the consideration of the works under consideration in the order in which they are introduced in this article. I must premise, however, that as all these works are attacks on Messrs. Agassiz, Dr. Nott, Mr. Gliddon, and me, chiefly on scriptural ground, except that Mr. Moore examines Mr. Agassiz's theory of Zoological Provinces;—and as the fundamental principles of my book are essentially different from those I understand them to advocate, and which have not been controverted by the authors under examination, I am not called upon to examine the scientific matter they have advanced—nor the scriptural—beyond what may be necessary for my vindication. I say *the principles* I have advocated have not been controverted; because what I have said in relation to "Cain"—"his wife"—"the sons of God"—and the "daughters of men," &c., involve no principle contained in my volume, but is mere collateral matter to show the legitimate latitude of discussion of the subject. So little do I value the little I have said on these subjects, that, by the suggestion of a reverend Professor in Rutgers College, N. J., whom I highly esteem, I entertained the thought of expunging them from a second edition; and sincerely hoped I might not be called upon publicly to defend them in a manner to prevent me from doing what I should think proper respecting them. They have, however, been so prominently exhibited to the public, as the chief features of my book, to the exclusion of any public consideration of other and more important topics in the natural history of man; and they have been so frequently, and I may say, injudiciously, eagerly seized upon for the purpose of branding my book with infidelity, that, in self-defence, I shall be compelled, in this paper, to justify the use I have made of these subjects; which will, of course, make it improper for me to alter a subsequent edition. It must not be supposed that I was brought to entertain the above design, from any doubt of the accuracy of the views entertained; but merely because they are not necessary to any part of my system, and might be improperly used by skeptics in various ways. The truth should be always spoken, when necessary; but it is not always necessary to speak the truth, when silence is permitted. Dr. Spring, and especially Dr. Smyth, have made it necessary for me to satisfy the public, that what I have said on this subject in my Natural History of Man, was not carelessly and sportively used with a view to injure sacred history; and also to show that I have as good authority for what I have said, as any of my opponents has exhibited for asserting to the contrary.

The only mention of my work, by the Rev. T. V. Moore, is in the list of works he proposes to review at the head of his able article. He placed it in the list for some purpose other than to examine the principles it contains, because he does not mention it afterwards. It is more than probable he had not read it, and merely placed it in the list to present to his readers the authors on the subject; for, throughout his article, he has adopted positions and principles advocated or controverted in my book, without noticing the one or the other, which, from the manly tone of his paper, he would not have done, if he had read it. Nor do I think he has adopted the disingenuous expedient of selecting M. Agassiz's publication as the sum and substance of all that has been written on the subject, because he thought the theory of Zoological Provinces could be more easily overthrown, than other positions opposed to his views. Such an expedient is the common resort of little minds wedded to a theory, and regardless of

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truth, among whom I should be slow to place Mr. Moore, judging from the scope and general hearty and healthy tone of his article. Besides, the supposition would be unjust to M. Agassiz; for, if we should grant what Mr. Moore has asserted, page 349, and which is also a fundamental principle of M. Agassiz—viz.: "Man, being an animal, under the same physical laws as to his physical economy with the lower tribes, must be considered, in discussing this question, as subjected to the same principles of classification that are adopted in other departments of nature."—M. Agassiz's theory of Zoological Provinces for man, would require more labor for its overthrow than has yet been bestowed upon it by Mr. Moore. The argument in favor of M. Agassiz would stand thus:—

All animals of different species were created in, and inhabit, different zoological provinces.

Man is an animal; therefore,

All men of different species were created in, and inhabit different zoological provinces.

The minor premise being admitted by Mr. Moore, to avoid the conclusion, he is driven to disprove the major, which he attempts throughout the remainder of his paper, with ingenuity, but not so convincingly as to make it "a *res adjudicata* in science." Besides, Professor Agassiz has the fact with him, that the dark races of men are confined to zoological provinces, and that only the white species enjoy an indefinite range. But man is an animal, and something more—a *psychical animal*—and, consequently, what is affirmed of animals cannot logically, and by a necessary sequence, be affirmed of him, which is the position taken in my Natural History of Man, chap. 4, in which it is maintained, that "The distribution of vegetables and animals over the earth is not analogous to the distribution of the human species, and therefore such distribution will not assist our investigations in relation to Man."—P. 120.

But I am not disposed to become a party in this controversy, because I do not agree with either of them in the necessary fundamental principle of their arguments, that animals are the analogues of man. (See the chapter on Analogies in my "Natural History of Man," page 308.)

But, although I am not disposed to examine Mr. Moore's scientific positions, because he has advanced nothing on the general subject that I have not elsewhere discussed, I must deny his broad assertion, that "we know that the different races of men freely and *permanently amalgamate*," if, by using the plural pronoun, he intended to be understood that this is a conceded point by naturalists. I do not deny it with a view to discuss it in this paper, but for the purpose of adding some new facts strongly supporting the views entertained on this most interesting subject in my Natural History of Man.

In a paper read to "The American Ethnological Society," Nov. 3, 1849, by Dr. Browne, of Philadelphia, (a gentleman whose accuracy in microscopic investigations is well known to, and appreciated by, naturalists,) published by A. Hart, Philadelphia, 1850, in pamphlet, p. 20, entitled, "The Classification of Mankind by the Hair and Wool of their heads," &c., the following conclusions are arrived at, pages 19, 20:

"1st. Hair is, in shape, either cylindrical or oval; but wool is eccentrically elliptical or flat; and the covering of the negro's head is eccentrically elliptical or flat.

"2d. The direction of hair is either straight, flowing, or curled; but wool is

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crisped or frizzled, and sometimes spirally twisted; and the covering of the negro's head is crisped or frizzled, and sometimes spirally twisted.

"3d. Hair issues out of the epidermis at an acute angle, but wool emerges at a right angle; and the covering of the negro's head issues out of the epidermis at a right angle.

"4th. The coloring matter of a perfect hair, for example, that of the head of the white man, is contained in a central canal; but that of wool is disseminated in the cortex, or in the cortex and intermediate fibres; and the covering of the negro's head has *no central canal.*

"5th. The scales of the cortex of hair are less numerous than those of wool, are smooth, and less pointed, and they embrace the shaft more intimately; and the scales on the filaments of the covering of the negro's head are numerous, rough pointed, and do not embrace the shaft intimately.

"Corollary.—Hair will not felt, but wool will; and the covering of the negro's head *will felt—has been felted.*"

In another equally important paper by Dr. Browne, published in the Democratic Review, Nov., 1850, he gives a scale and diagram of the pile of three species of men, and the piles of crosses, or hybrids, of these species; and the very remarkable fact is established, that an amalgamation of the characteristics of the parents does not take place in the hybrid offspring, but that the pile exhibits the characteristic of each parent, inclining in quantity to the parent to whose type the hybrid inclines.

These very important facts demonstrate a want of homogeneity in these hybrids, incompatible with full and perfect constitutional vigor, and will assist Mr. Moore, and other advocates of the unity of the human species, to account for the following kindred facts disclosed by the late census. It appears that, in the last ten years, the free colored population increased only 8.51-100 per cent.; and the slave population 27.83-100 per cent. Mr. Moore, being a resident of Richmond, Virginia, knows well that the free colored population of the North and West is annually increased by fugitives from the slave states, and by manumission in the South; consequently, the 8.50-100 per cent. is not to be credited to the natural increase of the free colored population; on the contrary, the whole, or a large part, should be added to the natural increase of the slave population from which it is derived. Mr. Moore must also know that no part of this vast difference can be accounted for by a supposition that the free negroes in the free states emigrate from these states, more than slaves emigrate from the slave states; because it is well known that the emigration of slaves from the slave states to the free states, to Canada, and Liberia, is many times more than of free negroes out of the free states. The cause must be looked for in the fact, that almost every negro north of Mason & Dixon's line, is a hybrid, possessing the heterogeneous constitution indicated by the above quoted papers of Dr. Browne. So universal is the condition, that Dr. Browne gave up the search for pile from a pure-blooded African at the north, and was compelled to send to the south for it.

Another most important kindred fact has been brought to my notice by the labor of some close observer, who has published the statistics "of insanity and lunacy among our free colored population over the whites and the slaves," which proves a constitutional defect to prevail in this hybrid race. I insert it as an important document worth preserving.

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STATISTICAL TABLE FROM THE UNITED STATES CENSUS OF 1840.

States.	Total White Population.	Insane and Idiots.	Proportion.	Total Colored Population.	Insane and Idiots.	Proportion.
Maine	500,438	537	1 in 950	1,355	94	1 in 14
New-Hampshire	284,036	486	1 " 584	538	19	1 " 28
Massachusetts	729,030	1,071	1 " 662	8,669	200	1 " 43
Vermont	291,218	398	1 " 731	730	13	1 " 56
Connecticut	301,856	498	1 " 606	8,159	44	1 " 185
Rhode Island	105,587	203	1 " 520	3,243	13	1 " 249
New-York	2,378,890	2,116	1 " 1,108	50,031	194	1 " 257
New-Jersey	351,588	369	1 " 952	21,718	73	1 " 293
Pennsylvania	1,676,115	1,946	1 " 861	37,952	187	1 " 256
Delaware	58,561	52	1 " 1,126	19,524	28	1 " 697
Maryland	317,717	387	1 " 821	151,515	141	1 " 1,074
Virginia	740,968	1,052	1 " 704	498,829	381	1 " 1,309
North Carolina	484,870	580	1 " 835	268,549	221	1 " 1,215
South Carolina	259,084	376	1 " 689	335,314	137	1 " 2,440
Georgia	407,694	294	1 " 1,387	283,697	134	1 " 2,117
Ohio	1,502,022	1,195	1 " 1,257	17,345	165	1 " 105
Kentucky	590,253	795	1 " 742	189,575	180	1 " 1,053
Louisiana	158,457	55	1 " 2,873	193,954	45	1 " 4,310

A vast difference is observable between the free north-eastern states, and those west and south-west of them, which may be chiefly attributed to two causes, viz.:—The uncongenial climate to the negro constitution in the north-eastern states, which operates with more power on an enfeebled hybrid, than on a pure and vigorous constitution; and that emigrants and fugitives from the South, many of whom possess unimpaired constitutions, concentrate in the southern or western free states. The average insane and idiots in the ten free states is 1 in 129, and in the eight slave states is 1 in 1715, a most striking and frightful disparity, deserving the careful consideration of honest abolitionists, as well as the philosophic advocates of the unity of the human species.

In taking leave of Mr. Moore, I must express my regret that he has disparaged his otherwise respectable article by the coarse and rancorous paragraph relating to Dr. Nott, a gentleman whose talents and position are too well known to be affected by such ebullitions. Invective is expected from men of undisciplined minds, because it is their only verbal means of offence or defence; but nothing can justify it in a well-bred man, but some personal injury, so provoking as to excuse an overpowering outbreak of passion. The paragraph in question throws a suspicion on the whole article, that Mr. Moore is the prudent, calculating, defender of his profession, not the conscientious advocate of truth; for no person can think he believes Dr. Nott to be "some Alabama negro-trader, who has found it more profitable to sell men's bodies than to cure them, and who wishes to write his trade into respectability." If his design was to sneer, it is disreputable; and if he was really as ignorant of Dr. Nott, as the literal sense of his paragraph implies, he is censurable for a malicious intention to inflict an injury without just cause. However important it may be to the private character of an author to be a physician instead of a negro-trader, it is not of the slightest importance to the public, who will judge his published works by what they contain, and not by his private character. The Baconian philosophy is not less valuable to mankind because its illustrious founder was the "meanest," as well as the "wisest and brightest" "of mankind;" and Paine's "Common Sense" was as valuable to our revolutionary sires as if it had been written by a conference of Divines. Truth

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cannot be defiled, nor can error be purified, by the channel through which either is conveyed.

I turn now to the Rev. G. Spring, D.D., towards whom I have had a strong personal attachment from my youth, and of whom I could scarcely permit myself to speak in other than the most respectful terms. I have seen him, under the most trying circumstances, bear with the meekness, patience and forbearance of a Christian, and the firmness of a man, opprobrium and injustice which I have not forgotten, and have not yet forgiven to the parties, who, I hope, have repented of their sins. We have all passed into the sixth and seventh ages since then; but it is a beneficent and delightful peculiarity of human nature, that the events of youth, instead of passing into the sere and yellow leaf, become more vividly green as the sun of life descends to the horizon, overshooting the dusky valley of age, while it most beautifully gilds the mountain scenery of youth. From Dr. Spring, no intentional injury could be expected; but from him, an unintentional injury inflicts a severer wound than any intentional wrong from a person whose malevolence is stamped on every page, and who hopes to be believed for his intemperate and persecuting zeal.

The remarks I have to make in relation to Dr. Spring's "First Things," will be confined to parts of his chapters on "The Unity of the Human Race" and "The First Curse." I may be permitted, however, to say, that I was surprised to find that this venerable author rejected and condemned the evidences of the first things of God's wonderfully varied creative power, lithographed by *Him* on the folds of the earth for man's admiration and instruction. Geology is undoubtedly in its infancy; and, as it is with all infant sciences, some of its details are ingenious hypotheses; but its fundamental principles, viz., the relative ages of the several crusts of the earth, indicated by their order of position, composition and fossil remains; that they were all, with their contents, of pre-Adamite creation, indicated as well by what they do, as by what they do not, contain; and that these facts are in harmony with Genesis, the first verse of which announces that "In the beginning God created the heavens and the earth," &c., before he commenced the Adamite creation, are "First Things," which it is impossible to oppose without shutting the eyes, and permitting the mind to range on a Davis excursion, and affirm, "that the first act of creation was the formation of the primordial elements from which the *organized heavens and earth* were formed. They constituted *a commingled substance made of earth and water, light, heat and electricity, blended in disorder, a rdue and shapeless mass, an undigested, dense and floating chaos.* Darkness covered it, and 'the Spirit of God moved upon the face of the waters.' This life-giving agent *brooded there*, and made this chaos, this *vast valley*, this dark ocean of *floating death*, the first scene of his vivifying power."*

This amiable and talented author approaches the subject now under discussion in the proper spirit. "Where," says he, on page 97, "the subject is investigated simply by the phenomena of nature and the lights of science, there, indeed, are those who have come to the conclusion, that all mankind are not the descendants of one common pair. Men imbued with Christian truth do not complain of these philosophical inquiries; for they are more and more satisfied, that *on this subject*, as well as every

* Vol. i. p. 56.

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other, *the works and the word of God, when both are known and understood, are perfectly harmonious.*" It is to be regretted, that all divines have not the same relying faith in the harmony of the works and word of God. Some of them regard men engaged in investigating God's wonderful and beautiful works, as evil spirits endeavoring to disprove His word; and if a philosopher should discover that theologians have not construed the Word of God correctly, instead of listening patiently, and examining the matter carefully, they raise the hue and cry upon him as a robber of the richest jewels of life, as a murderer of the souls of men, whereas he may be only a corrector of error. Dr. Spring is not of this class. He acknowledges that theologians may be in error as well as philosophers; that "the Word of God" may be "known and understood" as imperfectly as "the works" of the same Infinite Being. It is a pleasure to discuss an important and delicate subject with such a man: because, both parties being desirous for the truth, it may be found, by the friendly controversy, and another example be given to the world, by our instrumentality, that "*the works and the words of God, when both are known and understood, are perfectly harmonious.*" In this spirit I proceed to show some errors by Dr. Spring.

The first error is, that he has quoted a passage from my Natural History of Man in connection with a summary of matter with which it has no relation. "One of the writers here referred to affirms," says he, vol. i. p. 98, "that 'the Mosaic history affords a fair, and very strong presumption, that man was divided into several species by the Creator.' The quotation is correct; but it is immediately followed by his compend in these words: "He expresses *the belief* that Adam and Eve were not the first and only created beings in the world; that the race spoken of by Moses, of which Adam was the first, is simply the race to which the Scriptures have reference, and which were to be employed by God in the design of redeeming mercy," to which the reader will refer it, as a matter of course; but the presumption "that man was divided into several species by the Creator," is made to arise from the effect of the blessing, promise and curse pronounced by Noah, on Shem, Japheth and Canaan, and the subsequent destiny of Ishmael." See p. 63 of my volume.

The second error is in charging me with "*the belief* that Adam and Eve were not the first and only created beings in the world," &c. I express *no belief* respecting it. This subject was introduced by me to show that this extreme ground *might* be assumed; and although I briefly state the facts, and give a skeleton of an argument founded on them, I carefully avoided expressing a decision upon them; which brings me to

The third error, in assuming that this "belief, that Adam and Eve were not the first and only created beings in the world," is the foundation of the system advocated in my book; whereas, on pp. 62–63 of my volume, I expressly inform the reader, "that I place no reliance on it," "that the object of introducing the foregoing *speculation* is to show that the subject is fairly open to a wider range of investigation than is generally supposed, or than we will claim; because we are ready to admit that *the whole human family sprang from Adam*," &c. And acting on this admission, this *belief*, if the word is more expressive, I subsequently divide the species of men into four species, according to Scripture, under the patriarchial names of Shem, Japheth, Canaan, and Ishmael. Consequently,

The fourth error is in charging me, or at least, leaving the unavoidable impression on the minds of his readers, that I have advocated *a plurality*

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of origins of the species of men; whereas, throughout my work I maintain a unity of origin, but a diversity of species, arising from "the power of God to *modify specifically*, by the word of his power, beings whom he created by no greater effort."—p. 64. Consequently, it was unjust to couple my work with Professor Agassiz's theory in all his subsequent censures, as the Professor's theory of distinct creations in separate zoological provinces is directly opposed to my volume.

The fifth error is in attributing to me a theft from Voltaire. "This is *no new* hypothesis; it was known at least as early as the days of Voltaire, and has often been repeated." I deny it, and ask for the proof.

The sixth error is a misconception, and, in effect, a misquotation, of scripture. "It does not appear," says Dr. Spring, vol. 1, p. 100, "from the book of Genesis, that *even so late as the time of Cain's exile*, Adam and Eve had any female children; yet in a subsequent paragraph, *which covers his entire life*, we are told that *Adam lived* 930 *years, and* "*begat sons and daughters.*" We are told no such thing: but we are told—"and Adam lived 130 years, and begat *a son* in his own likeness, after his image; and called his name Seth: And the days of Adam, *after he had begotten Seth, were* 800 *years: and he begat* "*sons and daughters.*" Gen. v. 3, 4. This is vastly different from Dr. Spring's method of quoting it; but as I will have occasion to refer to this subject again, I dismiss it for the present.—But I may ask Dr. Spring, if the above two quoted verses do not give an "intimation, *in the narrative itself*, that our first parents had *no daughters* before Cain's exile," and "none between his exile and marriage?" and, I ask him also, to inform his readers where he obtained the knowledge that Cain's wife was a person "*well known to the family of Adam*, and one who, *as such, had been familiarly recognized?*"

The seventh error is in his assertion, vol. 1., p. 116, that the *descendants of Ham*, "for the unnatural, unfilial, and foul sin of their father," were "the accursed race, and doomed to be 'the servant of servants' to the descendants of Shem and Japheth." The only descendant of Ham that was cursed was Canaan. The language is: "And Noah awoke from his wine, and knew what his youngest son had done unto him: And he said, *cursed be Canaan;* "a servant of servants shall he be unto his brethren," &c.—Gen. ix. 24, 25. See on this subject, and the distribution of the patriarchs, my Natural History of Man, chapter 3.

The eighth and last error is, that having quoted some passages from my volume for the purpose of condemning them, justice required that, if he found any matter he approved, and especially if he adopted it, it was his duty to give me credit for it, and not permit me to stand before his readers as a culprit, without a recommendation to mercy. I will quote a few parallel passages from my Natural History of Man, and Dr. Spring's "First Things," to show that there are some matters of agreement between us of very great importance:

FIRST THINGS, vol. 1. p. 107.	NATURAL HISTORY OF MAN, pp. 39, 40.
"The more important properties, and those which the Scriptures *dwell upon as characteristic of the race*, are man's *intellectual and moral nature*, and *his indestructible immortality.* * * It is a spiritual nature which he possesses. * * He has reason and conscience. He	"We call attention to the fact, that we have devoted more space to the *psychical* than to the physical character of mankind. * * Are not these necessary items in a Natural History of Man? What is man without them? To say nothing *of a hereafter, of a future state*

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possesses a mind which is capable of progress and expansion."

of existence, of the relation of the spirit to the Creator. What is man here, in this world, in his relations to his fellow creatures, without psychical attributes? * * All the powerful agents of nature are submitting to his authority—the winds, the waves, steam, electricity; —who will prescribe the limits of his psychical power, the triumphs of his genius? What Natural History of Man can be written without noticing his psychical phenomena?"

Vol. 1, Page 112.

"This leads me to another and a distinct topic, which is, that in their references to the various nations and tribes of men, and in all their diversities, the Scriptures do in fact trace their genealogy to one common parentage."

Page 63.

"We are ready to admit, that the whole human family sprang from Adam; and that the whole race, except Noah and family, was destroyed by the flood; and, consequently, *that all the human family have since sprung from three men, as it before had from one.*"

Vol. 1, Page 116.

"The descendants of Ham * * had a different destiny from the descendants of Shem. For the unnatural, unfilial, and foul sin of their father, they were the accursed race, and doomed to be 'the servant of servants' to the descendants of Shem and Japheth. Nothing is more obvious than that *this race must*, in some way, *be kept so distinct from the other races, that this curse could be visibly executed.* Without some line of demarcation, *either physical or geographical, or both, the frequent intermarriages would have gradually blotted out their predicted isolation, and rendered the descendants of Ham, in the progress of time, undistinguished from the descendants of Shem and Japheth.* We know from all history and observation, that there *is a race of men who possess strong specific differences of color and features; that these differences have prevailed from the earliest times, and that, let them be removed to whatever portion of the earth, and live under whatever regimen they may, these specific differences exist still.*"

Page 63, 64.

"Thus we have four distinct blessings, promises, and curses, pronounced on the patriarchs of the human family; which were, no doubt, to be typical of their descendants. How were they to be fulfilled? *The races must be kept distinct* or they could not be fulfilled. The difficulty with the descendants of Adam was, that 'they saw the daughters of men, that they were fair; and they took them wives of all which they chose.' How then could they be kept separate? The blessings, promises, and curses, *must have been followed by some physical change of the parties, or intermarriages would soon obliterate the individuality of each, and make them all of a like nature, and of similar descent.* * * * A mere geographical separation, if there were no physical distinctions, would only amount to a temporary separation; because the migratory habits of man would soon bring them together. But *a geographical separation, together with a physical distinction, would make, as it has made, an almost perfect barrier to an amalgamation* of *the different species.* * * We might almost say that Revelation has decided that there are several species of mankind, and that to believe to the contrary is to disbelieve the power of God to modify specifically, by the word of his power, beings whom he created by no greater effort."

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Vol. 1, Page 126.	Page 547.
"There is one more consideration in favor of the unity of the race, which rests, also, originally on the testimony of the Scriptures. The last enumeration gives us 3664 known languages now in the world. *Yet the Bible teaches us that the languages of the earth had a common origin.*	"These are proofs that language is not innate; and they are equally proofs that it *is not a human invention; and we may also say, that they are equally conclusive proofs of the truth of the Mosaic account.* We cannot refrain again, as we have repeatedly done before, to notice the singular fact, that a fair and unbiassed investigation into the natural history of man should *lead us so repeatedly to a corroboration of the Mosaic record,* without any design on our part."

I think I have now presented enough parallel passages to show that Dr. Spring, if the thought had occurred to him, might have found as much to approve as to condemn in my work. I have selected such passages only as Dr. Spring has considered of fundamental scriptural importance, to show that, although we may pout a little about Cain's wife, we need not make it a serious quarrel, seeing that I unceremoniously dismissed her immediately after I introduced her. I have already said, that I regret having publicly acknowledged her acquaintance; but that is now past recall, and I have been abused for it through every degree of the scale, from the comparatively mild, but firm tone of the venerable and much esteemed author of "First Things," to the violent and *ex cathedra* anathemas of Dr. Smyth, who seems determined to have the lady according to his own mind. I have determined, therefore, to entertain her again, presently, for the special benefit of Dr. Smyth, to whom I will pass her, in the hope he will be contented, and let me rest in peace hereafter.

I come now to the last and most unpleasant part of the task imposed on me by the productions under consideration; not because it is more difficult to defend myself against the epithets of Dr. Smyth, than against the implied censure of Mr. Moore, and the direct, but comparatively mild censure of Dr. Spring; but because it is impossible for me to repel them in kind, and it is exceedingly unpleasant to be compelled to resist invective by argument. Epithets, derived from the armory of Rome when she had ecclesiastical power to brand the spirit with maledictions, and enclose the obnoxious individual in a pestilent upas atmosphere, avoided by all persons, and piously and solemnly consign him to the devil, are peculiarly the offensive and defensive weapons of those clergymen who feel more vain of their professions, than humbled under a sense of the awful responsibility of their duties. I am happy to be able to say, that our clergy are not generally of this kind; yet there are some stringent adherents to the old practice, who manifest a bitterness by the curt and explosive utterance of their censures, strongly indicating that they sigh for the old time of faggot and fire. In general, these sticklers for the only part of Romish punishment they dare exercise in this land of liberty, are the self-sufficient part of the clergy who are drags upon the sacred profession; men who, in everything they do, thrust themselves forward, lest it should escape notice that they are somebody. No better example of the truth of these remarks can be presented than the work now under consideration. It is pompously introduced to the public by a list on a fly-leaf, of "works by the same author," to the number of sixteen; which was designed, no doubt, to let

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the reader understand that he is a man of high consequence, entitled to dictate, *ex cathedra*, in respect to the unity of the human races, and brand with heresy all his opponents.

The reader will not be disappointed in the intimation thus given. Decrees in science and religion are recorded in the language of authority, and executed to the very extremity the civil law will permit. He dare not put the mark of the iron on his opponents, because, happily, the civil law restrains him; but he has done all in his power to banish them from society, by publishing them as infidels of the worst characters, and branding them morally with the names of Cain, Rousseau, Peyrere, Voltaire, Paine, &c. This, too, without regard to the differences of opinion of the individuals thus condemned; for although he has given some specifications of his charges against Professor Agassiz, Dr. Nott, and Mr. Gliddon, which may, or may not be correct, he has given none against Mr. Kettell and me, but the interpolated extracts from Mr. Kettell's Review already noticed. But we are all condemned together, and made to suffer the same punishment, because to differ from him is heresy, deserving the brand of infidelity,—the mark of exclusion from good society,—the objects of suspicion and fear by pious people.

I have no remarks to make respecting the general character of his "Unity of the Human Races." It must stand the ordeal of all published books, at the bar of the public, where it will be met by its opponents, and sooner or later, all will receive a just decision. Candor requires me to say, that the essential parts of the work are better than the spirit in which it is written. It contains very little, if any, original matter; but it abounds in references and quotations from authors favorable to his views, which may make it useful to some readers; but it is avowedly a partisan production, and everything is made to bend to the idol of his imagination.

The first thing which demands attention is the fearful responsibility he wantonly assumes by placing the *truth and value of the sacred Scriptures* on an issue of his own, viz., that "the whole history and doctrine of the Bible imply the truth of *the original unity, and the equal humanity* of all the races of men; and *the truth, inspiration, authority and value of the Bible must therefore stand or fall with this doctrine.*" It would be cause for lamentation if this issue were really made by competent authority to abide by the result of an investigation and decision; but in the name of everything dear to poor fallen humanity, I deny his right, or the right of any body of men, to place the *truth and value* of Scripture on any human issue. A very slight examination of this proposition will exhibit the danger that might be apprehended from such temerity. The proposition, that "the whole history and doctrine of the Bible imply the truth of *the original unity and equal humanity* of all the races of men," consists of two distinct members, one of which may be true and the other false: and yet if either should be untrue, the Bible must fall, according to Dr. Smyth. "The original unity" of the races is one thing, and "the equal humanity" another. The original unity refers to Adam as the progenitor of all mankind; but "the equal humanity" denies the effects of the blessing to Shem, the promise to Japheth, and the curse of Canaan—in fact, denies that there are any *varieties* in the races of men, because *varieties* can only arise from *unequal* humanity. Dr. Smyth, throughout his work, contends for a single origin, and for *varieties;* that is, unequal humanities of races, and consequently defeats his own issue, and destroys "*the truth, the inspiration,*

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authority and value of the Bible." Hear him, page 109: The Bible "teaches us that the same Almighty Being, who made of one blood all the nations of men to dwell on the face of the earth, also secured his own purposes in the peopling of every portion of the globe, *by adapting men to the climate and condition to which they were thus destined.* The belief of this *supernatural cause as the source of present varieties in man*, so far as it may be necessary to look to it rather than natural causes, is therefore *required of us by the very necessity of the case, and by the authority of God.*" Thus his proposition is defeated by himself in one of its members, which, as it is single, overthrows the whole; consequently, if Dr. Smyth had been intrusted with the authority he has so fearfully assumed, mankind would now be destitute of a Bible! The other member of the proposition, viz., "the whole history and doctrine of the Bible imply the original unity" "of all the races of men," is that on which my Natural History of Man is founded; and yet, I confess, it is not entirely free from doubt, as may be seen by the preliminary matter in the second chapter of my history, and will be made apparent in the progress of this paper, which will exhibit in still stronger light the whole enormity of Dr. Smyth's presumption in assuming the responsibility of the issue he made.

In this place, I will briefly notice the following remark of Dr. Smyth in relation to the *specific* modification of the descendants of Shem, Japheth and Canaan, by the blessings and curse pronounced on them, as mentioned in my Natural History of Man. "When, therefore," says he, (Note E, p. 394,) "these writers make the present differences among men *specific*, they controvert the unvaried usage of naturalists, who have never hesitated to regard admitted unity of origin as conclusive proof of unity of species." Does Dr. Smyth deny the power of God to modify his creatures specifically? Does he deny the blessings and curse on these patriarchs, and the consequent modifications of their natures? In the extract above quoted preceding this paragraph, he says, it is "required of us by the very necessity of the case, and by the authority of God," to believe "this *supernatural cause as the source of the present varieties in man;*" and may it not be equally necessary to believe "this supernatural cause as the source of the present" *specific differences of man?* Suppose I acknowledge it to be "the unvaried usage of naturalists to regard admitted unity of origin as conclusive proof of unity of species;" would not the extraordinary circumstance of God's special modification of the natures, physical and mental, of the patriarchs, require a departure from ordinary "unvaried usage?" The question for naturalists is, under such circumstances, one of fact, whether the modification of natures amounts to *specific* differences or *varieties;* and this I leave, confidently, on the discussion of it in my Natural History of Man, in opposition to Dr. Smyth, and any person who desires to embark in the controversy.

It is somewhat remarkable, that a gentleman who so unscrupulously charges Professor Agassiz, and all others who advocate the plurality of the human species, with infidelity of the vilest kind—of the brand of Cain, of Peyrere, Rousseau, Voltaire, Paine, &c., for construing Genesis according to the measure of their intellects, would be guilty of interpolating whole sentences in and misquoting Scripture, and of supplying new matter for the purpose of sustaining a theory. That this has been done by him, I propose to show by the consideration of the following extracts from his Unity of the Human Race, pp. 375, 376, 377. "As to the other points, we can

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but say that we felt ourselves, as we read them, in the society of Thomas Paine, Rousseau and Voltaire. In the genealogy of Adam, but three of his children, Cain, Abel and Seth, are mentioned by name, and few only of his remoter descendants appear in the record. In the 930 *years* he walked upon the earth, his family must have been far more numerous than this, and his *other children are expressly alluded to in the words*, '*and he begat sons and daughters.*' This is a misquotation of Scripture; for these 'other children,' these 'sons and daughters' are, in the text, in express words, restricted to the 800 years *after* he had begotten Seth. The words are, 'and the days of Adam *after* he had begotten Seth, were 800 years: and he begat sons and daughters.'" Gen. v. 4.

"Cain was a married man when he slew Abel," says he, as positively as if the fact were stated in Scripture! It is written, and with great justice, "If any man shall *add* unto these things, God shall add unto him the plagues that are written in this book," Rev. xxii. 18; for most assuredly it is as infidel to believe God's word to require amendment, as to disbelieve it altogether. If it is so imperfect as to require amendment, it is to be hoped that plain laymen who have been trained to rigid logical investigations will not be charged with infidelity for taking the literal texts, and making an honest effort to make them harmonize with God's book of nature, which all men affirm to be perfectly composed. But I proceed to show it does not require it, and that Dr. Smyth's amendment is contrary to the inspired narrative, and consequently, of a more evil tendency than any construction by M. Agassiz, and all the other advocates of the plurality of the human species. It is contrary to Scripture, because, 1st, Nothing is said of Cain's marriage until after he "went out from the presence of the Lord." 2d, Because we are expressly informed that Adam and Eve had *no daughters* until *after* the birth of Seth. "And the days of Adam, *after* he had begotten Seth, were 800 years; and he begat sons and *daughters*," Gen. v. 4; consequently, if he had a wife before the birth of Seth, she must have been the daughter of some other parents, which is adopting, by Dr. Smyth, the heresy he charges on the plurality advocates, and placing himself, by his own assertions, in company with Cain, Rousseau, Peyrere, Voltaire and Paine. 3d, Because, if he was married to a daughter of Adam, she was banished with him, and was made to suffer the horrible punishment inflicted on the first murderer, without being guilty of any crime; which is equivalent to charging the infinitely just Judge with absolute injustice; an impiety which, if it is not of too deep a dye to be charged on Voltaire, Paine and company, most certainly cannot be imputed to M. Agassiz and company, whom Dr. Smyth has anatomized. 4th, Because we are told that "*Cain* went out from the presence of the Lord, and dwelt in the land of Nod, on the east of Eden," before anything is said of his marriage, which certainly does not mean that "Cain and his wife went out," as Dr. Smyth will have it, unless he should be allowed a latitude of construction equivalent to an amendment of the text.

"The mother of all living was doubtless a fruitful vine, and both she and Adam were in the vigor of their lives for a length of years the post-diluvians knew nothing of. * * * When the Creator undertook to people a world, we may suppose that his providence arranged for this end, and *no hindrance* was allowed to interpose. It is believed that the *death of Abel* was the first which occurred in the family of man. It is not an *unreasonable supposition*, therefore, as *figures* will demonstrate, that the fam-

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ily of Adam embraced from 191,000 to 200,000 people, *at the banishment of Cain.*" ! ! ! Adam and Eve were created adults, and were, from the beginning, in condition for increase. It appears, however, as well from what is recorded of them, as from what is recorded of all the ante-diluvian patriarchs, that the intervals of production bore a proportion to their longevity, precisely as we now see the same natural law prevailing in organic nature. In one hundred and thirty years, Adam and Eve had only three children; which gives a child in forty-three and a third years. Estimating human life now at 33 years, and production now at intervals of two years, and Adamic life at 900 years, and production at intervals of 43 and one-third years, Eve appears to have been about four times more fertile than the average wives of the present time. If she had children at this rate, and in the absence of knowledge to the contrary, this is the only reasonable supposition. Eve's fruitfulness, after the birth of Seth, was eighteen children; which, with Cain, Abel, and Seth, made twenty-one in all. This calculation gives to her fertility during life, deducting nothing for the age when women cease to menstruate, and, of course, to ovulate, for the purpose of giving Dr. Smyth all the advantage in the argument, with his *figures.* I say this is the most reasonable supposition; for, I think, Dr. Smyth will not affirm, that the necessity for peopling the world became so much more urgent after Eve had three children, than during the one hundred and thirty years she consumed in having three; that, *therefore*, she became so fertile after the birth of Seth, as to have a child every year of her subsequent life. My statement is founded on no supposition, but on the fact stated in the divine record. If Dr. Smyth should insist on her increased fertility after the birth of Seth, he must prove it by something more than his dictum. Anterior to the birth of Seth, the Bible is so explicit, that I am surprised any believer should attempt to amend it by a construction directly in opposition to the express words.

But I contend, and I think Dr. Smyth will not gainsay it, that every fact recorded in Genesis relating to the subject, proves that the adolescence and fertility of the Adamic patriarchs, were protracted, and, at intervals, proportioned to their longevity; and, consequently, that the All-wise Creator had some other object in view by their longevity, than peopling the earth. I may be permitted to quote a passage on this subject from my Natural History of Man, pages 56, 57, which has been more than three years before the public; and which, although several reverend gentlemen have recently sought for matter of censure against me, (Dr. Smyth in particular,) has never yet been contradicted. "From all the facts disclosed in Genesis, and from the well-established truth that longevity bears a proportion to the growth to maturity of all organisms, adolescence could not have been short of sixty or seventy years during the Adamic period. So far from having any ground for the supposition of 'the peculiar fecundity of the period for the multiplication of man,' all the facts lead to the belief that man was not then more prolific than he is now. Methuselah was 187, Lamech, 182, and Noah 500 years old, before they had a child. Noah and his sons are the first families whose male descendants are wholly enumerated. Noah had three sons, Japheth seven, Ham four, and Shem five; which is a fraction under five for each of these patriarchs, which does not mark 'a peculiar fecundity.' * * * The supposition, therefore, of Dr. Good, that 'many thousand souls' may have been born prior to the birth of Seth, or rather prior to the departure of Cain 'from the presence of the Lord,' is clearly contrary to the inspired narrative." I repeat, that this

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statement was before the public more than two years before Dr. Smyth published his "Unity of the Human Races," and it was his duty to refute it, as a Christian, a philosopher—nay, as a man, before he attempted to brand me with the "*mark*" of Cain.

Fecundity is not a necessary incident of longevity; on the contrary, the reverse is sufficiently general to give the rule, that longevity is accompanied by *infertility, and protracted intervals of production*, proportioned to some standard of the class of animals to which the animal under consideration may belong. Although, therefore, longevity and infertility may be stated to be a general law of nature, yet no standard rule applies universally, because it is one thing with birds, another with quadrupeds, and again varies with animals of prey, as compared with those that are not rapacious; and yet, again, rapacious animals are fertile or infertile, in the same genus, in proportion to the power and rapacity of a species, as well as to the term of life.

Happily, in regard to the patriarchs, Genesis has not left us to the speculations of men in respect to this matter; and, happily, too, it has settled it in strict agreement with natural science, by which sceptics are deprived of a powerful argument against its authenticity; but which is now a powerful argument in favor of its divine origin. If the law, during the Adamic and early Noahic periods, was, as it is intimated to have been by Dr. Smyth, viz: that the average term of human life was 900 years; puberty, twelve or fourteen years; and marriageable age any time after puberty—say eighteen to twenty-one years; and reproduction on an average every two years, with duplicates or triplicates at short ntervals—then it would not be "an *unreasonable* supposition, as *figures* will demonstrate, that the family of Adam embraced from 191,000 to 200,000 people at the banishment of Cain." But the divine record justifies no such absurdity. It tells us of the great longevity of the patriarchs, and carries with it the natural stamp of truth, by telling us that puberty, maturity, and fecundity, were proportionably protracted, viz.—that Adam and Eve had only three children in 130 years; that the average age of the ante-diluvian patriarchs, from Seth to Noah, both included, on the birth of the first child, was 137 4-12 years; and that Noah had only three sons, Japheth seven, Ham four, and Shem five, which is a fraction under five for each, which is consistent with general nature, and which, to my mind, is a strong proof of the divine origin of the narrative, as Moses cannot be supposed to have had a more comprehensive knowledge of the laws of nature than Dr. Smyth, and would, if not guided by inspiration, have fabricated something as absurd.

Perceiving that Dr. Smyth delights in figures, and presuming, as a matter of course, before he proceeded to the calculation which results in the production, from a single pair, in less than 130 years, of 190,000 to 200,000 people, that he previously calculated all the essential preliminary physiological phenomena to obtain the basis of that important and amazing result, it will cost very little trouble for him to answer the following curious questions: 1st. What was the catamenial period of the Adamic age, compared with the same period of the present age? 2d. What was the comparative period of gestation? 3d. What was the comparative term of nursing? The data given are: the average duration of life of the Adamic age 900 years, against 33 years in the present age; adolescence of the Adamic age from 60 to 70 years, against from 14 to 18 of the present age; and the average interval between children in the

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Adamic age, 43⅓ years, against two years of the present age. Dr. Smyth will immediately perceive the absolute necessity of ascertaining these results satisfactorily, before anything can be positively asserted in respect to relative *fecundity*.

After demonstrating that the family of Adam, at the banishment of Cain, consisted of from 191,000 to 200,000 people, Dr. Smyth says: "How many of these adhered to the fortunes of Cain, from whom a large share descended, or whether any, we are not informed, nor are we told when he built his city." The art of constructing this sentence is all the credit the author could possibly obtain by it; and such an art can only be valuable to a man who loves his theory more than he loves truth. It is very true that "we are not informed" in Genesis "how many of these adhered to the fortunes of Cain," because Adam, Eve, and Cain, then constituted the whole family. But mark the mode of expression,—"how many,"—necessarily implies that *some did* adhere to the fortunes of Cain. Nor is the statement much qualified by the saving clause, "or whether any," because the artful construction of the sentence, the "how many," immediately followed by the powerful influence of close relationship, (a fiction as well as the rest,) "from whom a large share descended," leave an abiding impression on a majority of readers, not to be qualified by these cautious words of an author, whose loud, frequent, and uncharitable denunciations of others, fairly subjected him to severe criticism and retaliation. If there were any things in Genesis to afford the slightest presumption that Adam had *any* descendants to adhere to Cain; if we could find anything to justify the least suspicion that Cain was married and had descendants; and if we could, from anything we know of human nature, imagine that any persons would adhere to him, and thus voluntarily become subjected to the terrible punishment which made the hardened murderer exclaim, "my punishment is greater than I can bear," we might find some apology for Dr. Smyth in the thought, that the idol of his imagination had led him astray. But when we find nothing in Scripture to lead to suspicions of this nature, but, on the contrary, everything directly opposed to them; I charge Dr. Smyth with an attempt to pervert and amend Scripture for the purpose of branding Messrs. Agassiz, Nott, Kettell, and me, with the infidelity of Cain, Rousseau, Peyrere, Voltaire, Paine, &c.; for the purpose, so far as in him lies, of subjecting us to the ban of the Church, and of insulating us by the plague spot of heresy.

In conclusion, I ask the reader: "If Messrs. Agassiz, Nott, and Gliddon, should be found guilty of the infidelity charged upon them in the manner and form they stand indicted," how can Dr. Smyth escape the same, or a deeper guilt, not only for his wild speculations, and amendments of Scripture, but for placing "the truth, inspiration, authority, and value of the Bible," on the issue of his own theory, and his own speculations? I ask no question in regard to Mr. Kettell and me, because there are no specifications in the indictment against us; the quotations from Mr. Kettell being destroyed by the interpolation of Dr. Smyth.

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REEDYRILL.

V.—THE PIGEON ROOST.

Every morning and evening, as the immense flocks of wild pigeons would pass over on their way to and from the roost, presenting a novel and quite a beautiful feature in our autumn landscapes, Topcliff would be incessantly bothering me about them, and would not let me rest until I had consented to make up a party for a "Pigeon Roost" spree. I finally named a day, and when the time arrived, he had Munro as busy as a hen with one chicken, furbishing up all the fire arms that could be scraped together on the premises. Meantime, he mounted Nubbin, and set out at a bowling rack for the village, to get Wad Aukley and Bol Blount, and to purchase an extra stock of ammunition for the occasion.

About 'an hour by sun,' our party were all assembled, consisting, besides those mentioned, of Ike Montmery, Col. Overton, Pack, and Topcliff's equerry, and a good supply of sandwiches, porter and segars; and we started off all taut and in high feather. We presented a fancy group: there was the Colonel, jolting along on a high-trotting, rawboned roan, puffing away vigorously at a segar, with a preposterous double-barrelled ducking gun of inordinate length, on his shoulder, his head encased in an otter-skin cap, with a snout like a coal scuttle, his chin buried in a red worsted comforter, and his lower spars stuck into high, stiff top-boots—the worst thing he could wear to a pigeon roost. *I* wore a pair of buckskin moccasins coming up to my knees, and a smock frock of Kentucky jeans, as did the most of us, except Montmery, who had been making visits that day, and came off in a hurry with a pair of black doeskin dress pants, strapped down over patent leather pumps; he had, however, donned a blue blanket-cloth *paletot*, and was spanking off in fine style, on his high-mettled 'four-year-old,' that he gave two hundred dollars for, and which was really a splendid animal.

Toppy, with Munroe *en croupe*, was ricochetting about on the pony, now in the front, now in the rear, as that eccentric animal took a whim. He accompanied his manœuvres, some of which were comically indescribable, with a running volley of imprecations and apostrophes to the hard-mouthed jade, and jerked at the bridle-bit until his arms must have been in an unenviable plight; interspersing all with sundry injunctions to the yellow page to hold on to "the things," which things consisted of two panniers of the edibles and drinkables aforesaid.

Bol was bouncing along on a broad-backed bay, and with his natty, drab Mackintosh, nice jockey-cap buckled under his chin, his "Westly Richards," in its list cover, swung at his back, and "five-cent-er" in his teeth, looked as snug as a sitting hen in a haystack. Bol always was the most comfortable being I ever knew.

Wad Aukley, however, was the most unique specimen in the crowd. He was switching ahead on a duck-legged mule, his own legs dangling nearly to the ground; and his elbows, and the broad brim of a worn-out Panama, flapping up and down to the jolting of his steed, in a singularly

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graceful manner. Add to this description, a brown jean roundabout, an absurd corduroy vest, and a suspicious-colored pair of pants, of unknown material, a short Mexican esquipette, and a cigar, and you have his *tout ensemble*, as the novelists say.

"What are we waiting for?" asked Bolivar, as we halted under the high trees which surrounded the "Big Gate."

"We are only waiting for Pack, who has gone back after some things which were forgotten," replied Toppy, giving the pony a jerk to keep him from biting his neighbor's ears.

"What in the devil is that?" cried Colonel Overton, suddenly.

"What?" I asked, looking around.

"Are you casting any insinuations upon my critter?" inquired Wad, laying hold of mulo's ear, which he used generally in lieu of reins, as no ordinary bit produced any impression on its mouth. "Do you allude to my ass, sir?"

"No; *that*," replied the Colonel, pointing to an object issuing out from the shadow of a clump of trees which seemed to me to be an enormous mushroom, moving briskly towards us on four legs.

"Ghaist of Tam O'Shanter! what *can* it be?" cried Bolivar.

"Aroint thee, witch," quoth Aukley, as his "beast" shied from it, so suddenly, as nearly to unseat him—and bang!—a puff of smoke arose from somewhere about Wad, with a tremendous report, and the next thing I saw Mulo, who appeared to be standing on his head in an inverted attitude, and Wad went chucking through the air like a shell from a catapult, taking off the Colonel's coal-scuttle cap, *in transitu*, and finally landing in a mud hole, in a position similar to that which his mule had previously assumed.

The explosion startled the Colonel's gallant barb, who, rearing up on his hind legs, executed a semi-somerset forward, which shot his rider from the saddle, and deposited him atop of the prostrate Aukley, who was still floundering in the puddle, coming down on him with considerable *vim*, to judge by the squelching grunt which it elicited therefrom, as the Colonel's "noggin" bolted into Aukley's breadbasket, after a very unceremonious fashion.

Meantime, Montmery's sorrel was making demonstrations towards a similar ejectment; but he succeeded in quashing his proceedings.

The last thing I saw of Topcliff, after the concussion, Nubbin, with switching tail and heels inverted, and Esquire Munro flapping up and down, like a wet shirt on a clothes-line, was *scooting* across the lawn, until splash!—into the brook they pitched, head-over-heels.

The whole thing took place in the shortest imaginable time, and meanwhile Bolivar and I, who were the only ones undisturbed by this comical catastrophe, were lying back on our saddles in convulsions of laughter.

It turned out that the peripatetic toad-stool was Pack, on a young filly, with a mealbag, to bring home the birds in, over his shoulders, and his head surmounted by a huge bundle of sheets and blankets for our camp bedding, the whole done out of pure devilment. The unusual appearance which this style of head-dress presented, disturbed Mulo's ideas of propriety, caused him to shy, and in so doing, Aukley's cigar was knocked out of his mouth; a spark from it fell into his powder-horn, which from his usual negligence happened to be open, and blew it up. Fortunately for him it blew out the headpiece behind—it was that which discommoded

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the Colonel's head gear—and the force of the explosion taking a backward direction, he escaped unhurt. On a *post mortem* examination, as Pack called it, it was found that no bones were broken.

The Colonel and Aukley were extricated from the puddle; Chunk, Nubbin & Co., issued from the brook, not much "like lambs from the washing," it is true, but nevertheless in tolerable plight. The panniers had been dropped without marring the viands greatly, though much crashing of crockery had ensued.

We soon repaired all damages, had a hearty laugh over the whole frolic, and took a fresh start.

Among the many wonders of nature to be found in America, one of the most wonderful to me is this same "Pigeon Roost;" and yet (it is true a very fair description may be found in Wilson's Ornithology, but how many are there who read Wilson?) I doubt if one man in a hundred has any idea of it, and not one in ten thousand ever saw one. I have met many intelligent men in my life—educated men—who never even heard of such a thing. I remember, particularly, a northern gentleman I once met, who was so incredulous in regard to an account I gave him of its wonders—and I had not in the least exaggerated them, for, indeed, they cannot be exaggerated—there is more danger that you will not come up to the reality, than that you will overshoot it—he was so incredulous, I say, that I had to thrash him before he would consent to believe me.

I've mutely gazed upon the majesty of Niagara; I've sailed through the "Pallisades" by moonlight; I've stood upon the dizzy heights of the "Hawk's Nest;" I've wandered through the crystal-fretted halls and gloomy labyrinths of the Mammoth Cave; I've gazed on many beautiful and sublime scenes in our heaven-favored land, and yet I never beheld anything that impressed me with an equal sense of beauty and grandeur, as the view of a pigeon-roost at sunrise, on a bright October morning. This may seem absurdly anticlimacteric to some, but to those who have seen, it will not. I don't know, my mind may be differently constituted, but this exhibition of *instinct* on a scale so vast, so sublime, outrivals, in my estimation, any *inanimate* display of Nature's handiwork.

It was just sundown when we debouched from the narrow road which ran through the dark, deep forest, into an old field, on the other side of which lay the "roost," in a dense thicket of low trees, such as we have in the barrens, and extending over about a thousand acres or more. Looking towards the horizon, a long, dark, serpentine object, winding through the air on a level with it, attracted our gaze. "The Pigeons!" burst in an exclamation from our lips. On they came, in one unbroken column of about fifty deep, and a hundred abreast, all moving as by one impulse, pouring in a dark, dense, waving line, creeping, writhing along the horizon, like a huge snake, their flight acccompanied by a low and awful roar, like the sound of a distant hurricane.

Colonel Overton, who had never been to the roost in his life, and now saw this long mysterious army of birds coming into "camp" for the night, was of course astonished out of measure, and gave expression to it in his own peculiar and emphatic way.

The pigeons scour the country during the day in foraging parties of twenty, fifty, or a hundred, in quest of acorns, beechnuts, and other mast, on which they feed. Though scattered far and wide, some of them rove more than a hundred miles off during the day, over the whole face of the

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country: they all instinctively direct their way towards the common roosting-place as evening draws near. It is like a "gathering of the clans," straggling detachments, all winging their way towards the same point, fall in with each other and unite; their numbers are constantly swelled by new accessions, until, as they draw near the roost, they constitute one vast army; a disciplined army, too, for each bird follows his file-leader, and there is no confusion or interruption. The dense, and at that distance, solid-looking mass, heaves and swells in airy billows all in unison, scarcely a unit bird leaving the ranks.

When the bold fifty abreast head of the column—no straggling at random, ragged front—commanded by its leader, I will suppose, enters the roost, there is not a general break up, each man his own way: the advancing column takes a circuit along the outer edge of the roost, describes a circle around its whole extent, returns back, and then a smaller circle, and so on, until the whole army coils itself up in a whorl, and then pours down like a waterspout in the middle, deploys dropping down, however, from the moment that they enter the roost, until, by the time the whorl is complete, the whole roost is one living, roaring multitude of birds.

After a few minutes' pause to let our admiration and curiosity subside, we continued across the "old field" and entered the roost. The noise, which in the distance had sounded like a blended and suppressed roar, now dinned into our ears as we pushed into a narrow path that led into the densely-tangled brushwood in the roost, like—like the dense—I never heard any thing like it. Imagine Niagara Falls placed in the echoing chambers of the Mammoth Cave, and seventy or eighty machine shops, worked by steam engines, at work hard by it, and then conceive a thousand men firing into said cave at the same time with loud-shooting blunderbusses, and hallooing every mother's son of them at the top of their lungs, and you will get some idea of what it was like. The blunderbusses and shooting men, by the way, were literal, for the roost was full of them.

"I say, Ernie, lad," hallooed the Colonel in my ear, "it sounds as if fifty thousand June-bugs were playing the jewsharp in the drums of my ears!"

The air was so agitated by the flying hither and thither of crowds of birds, that it made your hair stand on end, and nearly made you do so too. Nothing could be distinguished but the roar of wings, the chattering of millions of birds, with an occasional *chkeeh he-he-he*, rising high out of the din from sheer dissonance.

"Now the way to manage," said Bolivar, who was an old "*rooster*," after we had kindled a fire, picketed our horses, and made all the necessary preparations for camping, "the way to manage is this: let two go out at a time, and the rest remain in to watch until they return, so that the camp may not be lost or neglected."

This was agreed upon, and Bolivar and the Colonel made the first sally, taking with them a dark lantern, that after they fired they might open it and pick up the birds they had shot; we who remained in camp were to sound a horn—sharp and shrill, so that it would be distinguished in the babel of sounds—every five minutes, that they might know our whereabouts, so that they might return. After a few minutes promiscuous chatting and joking, our company resolved itself into an elementary form.

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Aukley finding no one in the humor for a game of *euchre*, pulled out a rusty diamond edition of Don Quixote, and lighting a candle, soon became absorbed therein. Ike and Chunk were playing the devil with a cold chicken pie. Munro had nestled his head in the ashes as near the fire as he could get it without singing it, and soon obliterated all remembrance of this sad world in a comfortable snooze. I, with my feet on Munro's head, my back against a tree, and a cigar in my mouth, was taking a quiet siesta, and philosophically scrutinizing the scene. Wad Aukley, with his high-peaked forehead and sharp nose profiled by the candle, his lips apart, his eyes intently fixed upon his book, attracted my attention from the ridiculous caricature of abstraction which he presented, when, *flop*—a wounded pigeon dashed right into his face, splashed him with blood, and put out his candle, causing Wad to tumble over with a loud uttered "Ugh!" right into Montmery's pie, who in rage thereat, immediately popped the drumstick he held in his hand into Aukley's open mouth, and much swearing and laughing ensued.

After this, things subsided into quiet again: Aukley resumed his studies of the adventures of the Knight of La Mancha; Chunk and his compatriot their studies of the contents of the chicken-pie; and I lit a second cigar, and resumed my contemplations, with nothing to interrupt the harmony of the scene, save and except that the furze on Munro's piggin caught fire once, and caused him to splutter head over heels into a mud-puddle to extinguish the conflagration. To ensure against a second occurrence of the sort, he carefully enveloped his head in a blanket he had along, and resumed his former position. A negro always wraps his head up as warmly as possible, and sticks it in the ashes, and lets his feet shift for themselves.

Meantime, Parker was ensconced under a thick clump of grapevines which embowered a stunted persimmon, and I just could see the sparkle of his right eye, and the profile of his swarthy phiz flickering in the firelight, and every few minutes I observed it would be upturned with a quaint expression, and his merry eye would twinkle with unusual lustre. I had seen him perform this singular evolution two or three times, and felt curious to know what it meant.

"Pack, what the devil are you driving at?"

"Doin' what you told me, marster."

"What did I tell you, you rascal?"

"Didn't you tell me to *sound* a *horn*, every five minutes?"

"Ha! ha! ha!" laughed Chunk, "I should think you had *sounded* several fathom by this time,—eh, Pack?"

"By the mark, Twain!" sung out Pack, holding up the tickler, which was half empty, to the light. "—— De Lordy! What is *that!* screamed he in a sharp key, dropping the flask, and springing from the log he was sitting on with an expression of pain and terror on his countenance as he clapped his hands on a very unsentimental part of his body. "Bit by a serpent, by all that's pleasant. For God's sake, Marse Chunk, gi' me that phial of sweet oil. Phewh!" cried he, shaking his fingers as if they were blistered, and he jumped right into the fire, which he scattered every way. "Hornets and bumblebees, yaller jackets, and wasps—run, marster, run! It's a yaller jacket's nest I've been setting in till I've hatched out the whole brood. Good mercy, how they sting!"—and he capered and jumped: when, turning his back towards me, I discovered the cause of

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his catastrophe in a prodigious wood-beetle sticking to the seat of his breeches.

About the time that the uproar had subsided, the bushes around were pushed aside, and Bolivar made his appearance with a big load of pigeons.

"I see you have been very successful," said I, "but what have you done with the Colonel?"

"The Colonel? Why, is'nt he here?"

"Here? no. He went out with you."

"But did'nt he come back?"

"I don't see him anywhere," said Ike, drily, looking around.

"He left me half-an-hour ago. He fell over the lap of a tree and knocked all the skin off his shins, lost his cap, and scratched his face in the bushes, and he got mad and swore he would never come to a pigeon roost again. I could not get him to go an inch further, and he left me to return to the camp."

"Deuce a bit of him has been here," said I, "he's lost, certain."

"Getting lost in a pigeon roost is no small or comfortable matter, let me inform you," said Aukley; "I have some experience in the matter."

"Hush! let's see if we can hear him. Halloo," quoth Montmery.

"Holler!" said Parker. "You might as well expect to hear a gnat buzz in a saw-mill."

"You are right, Pack," said Bol, "I could scarcely hear your horn when I was out."

"That was no fault of his," said Chunk, with a dry grin, "for he hardly had it from his lips the whole time."

"Well, what's to be done?" I asked; "it's useless to think of looking for him."

"Perfectly. We must e'en let him work his own way out, or spend the night in the bushes."

"I wish I had as many dollars as he has *cussed* since he left Bolivar," said Aukley. "How we'll devil him in the morning!"

"Well boys—Aukley, you and Ernie go out now and take a turn," said Bolivar, as he seated himself by the fire and uncorked a bottle of porter.

"Come on, Aukley," said I.

And we set out. We wended our way through the tangled maze of bushes as best we could; but what with tree-laps, grapevines, bamboo-briers, and the interlaced brushwood and saplings which the weight of the roosting birds had bent and twisted into a jungle of inextricable confusion, we made but slow progress; it was dark as a negro's face, and the bushes!—a Mexican chaparral, a Mississippi canebrake, was in the highest degree pleasant and commodious to it.

"Ernie! where are you?" whispered Wad in my ear, as we groped along.

"*Here*,—mind you don't shoot me. Oh, lordy, my nose!" I exclaimed, as I unwittingly thrust that member into a bunch of briers.

"Jeminy! my hat's gone."

"No loss: a judgment on you for wearing such an outrage on propriety"—and, the words were hardly out of my mouth before I stumbled over a root and fell flat, and Aukley atop of me.

"In the name of goodness, how can a man see to shoot?" said I, as we scuffled to our feet. I added, that I thought there was a much better chance

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of getting shot myself, for I heard guns popping all around me,—sometimes close enough to see the flash.

"When you see a dense mass, which looks *blacker* than the surrounding blackness, fire into it,—that is a tree bent down with pigeons."

"I can't imagine anything much blacker than the surrounding darkness," said I; "it seems to me much like a charcoal mark on a negro's skin would be; but, by thunder, yonder is such a mass now. Wad, come here close to me. I will count one, two, three, and we will both fire together. Don't, however, discharge both barrels at once, but shoot one after the other. The second will do more execution than the first, for then the birds will be swarming up like bees."

In the fall we had had, Wad and I had accidentally exchanged guns: he had got my double-barrelled gun, and I his confounded esquipette. I cocked it.

"Ready now,—one, two, *three!*" I pulled the trigger, and it seemed to me that my doing so had raised a hurricane, an earthquake, and a volcanic eruption all at once. I did not hear the report of either gun: the *termination* of them was lost in a roar like a tempest-wave breaking on a lee-shore,—a flash of light glared up before my eyes, a gush of wind struck my face, and a violent concussion staved me upon the ground, and nearly knocked the breath out of me.

"I say, Kerne, we must have killed a hundred birds that pop! Golly, I never heard such a fuss in my life."

"A hundred devils seize you! I don't know how many birds we have killed, but it came deuced near killing your humble servant, I know,—your infernal blunderbuss has knocked my shoulder off."

"Ho! ho! ho!"

"Stop your cackling, and give me a match. I've lost the lantern in the fall."

"Ho! ho! ho!—a match?—in a minute, wait, let me feel—in my vest, no; in my breeches pocket; no match!—the devil! I say, Ernie, I've lost them, by Jupiter!"

"Lost 'em, eh? Well, we're in a nice pickle—ain't we?"

"Beautiful! But can't we strike a light with our guns?"

"We can try."

We tried, but our guns were with percussion locks, and we had no tow, and after a few abortive attempts we gave it up.

"What shall we do?"

"Do? Go back to the camp, of course. Come on."

"Which way are you going?" asked Wad; "that is not the way; you are going right backwards."

"Pooh! Do you think I am a fool, I know this is the way we came."

"Stuff! don't you know better than that? Yonder's the way,—I see it as plain as a pike-staff—and that is the way I am going."

"I am going this way. Good bye."

"Stop,—we must not separate. I'll tell you what let's do. You have got turned around, as is a common occurrence."

"You, you mean."

"No, you,—well, one of us, no matter which; we are both equally convinced that the other is wrong, and our opinions are diametrically opposite; I don't think either of them is worth much, so let's take hold of each other's hands, and waltz round for a few times, and ten chances to one, that we will both agree."

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Thinks I, I know it will turn his, so that he can't tell 'tother from which; but I'll keep the bearing in mind, so that I can't be confused; no doubt, he thought the same of me, and around we went, high foot, to the tune of Polly Hopkins, until we both ran over a bush and fell down.

When we rose, by a chance, we actually did agree to a hair; and, well pleased with this novel mode of reconciling error, we started off—we groped and stumbled, and I am afraid, blasphemed. Aukley did, I know, for an hour or two, and found no egress from the labyrinth, and became more and more bewildered every minute.

"I say, Ernie," said Bol, as we stopped a moment to listen if we could hear the blast of Parker's horn above the roar of birds, "one might be safe from triteness in talking of the *mugitus labyrinthi* here, eh?

"Yes, they don't roar me as any sucking dove,—these pigeons."

"Ha! very good,—as Ollapod says, I owe you one."

"I wonder what in the devil they come to the roost for, anyway? they keep such an eternal clatter and fluttering about all night, that it is impossible for them to sleep, and I have often noticed that they sleep in the daytime—they don't come here for that purpose, certain. It seems to me that it must be to hold a sort of literary conversazione."

"*Literary*, I should say."

"It sounds more like the sounds that greet your ear when you enter Mrs. Raymond's parlors on the night of one of her grand assemblies, than anything else; but stay, here seems to be a road, at least it *feels* like one under one's feet."

"Let's take it,—which way?"

"Stop, I have an idea!" said I.

"The deuce!"

"Yes, let's *feel for the north side of a tree.*"

"Do what?"

"The north side of a tree, you know, is the roughest."

"A bright idea!"

But our idea was better in theory than practice: we examined a dozen trees; I've done it in day time—but by feeling we could not discern north from south—devil a bit—so we took one way at a hap-hazard. On we went, a mile or more, Aukley having the lead.

"Aukley," said I, "the roar of the pigeons is receding from us; we have got out of the roost, and have gone wrong; we had better re-trace our steps."

"I don't—*ooh!*" and his answer was broken off by a loud splash.

"What *is* the matter?"

"Oh! I am—the lord knows where—drowned in a quagmire—oh! help!—every step sinks me deeper!"

"Goodness, man, come back this way," said I, not daring to budge an inch for fear of getting into it myself.

"Just at that moment, as if by magic, the moon burst out in a little blue spot from the misty canopy of clouds which enshrouded her—the first time she had made her appearance the night long, and revealed to us a small rocky heath covered with haws, crab-apples, briers and sedge, with a swampy stream running through the midst of it. I beheld my friend Aukley standing in it up to his middle, and myself on the very brink.

Wad now found his way out without any difficulty, and no damage but the accession of a wet and muddy pair of inexpressibles. I happened to know the spot we had alighted upon, and had the satisfaction to find that

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we had walked a couple of miles the wrong way, when a hundred yards in the other direction would have carried us *right* into our camp.

There was nothing to do, however, but for us to re-trace our steps, which we did; but had hardly drawn near to the roar of the roost, when the moon left us to shift for ourselves again. Grateful for what she had done, we groped in silence for some distance.

"Aukley," said I, after a long and tedious travel in the dark, "we surely have gone more than two miles?"

"Nigher five, by my reckoning," he responded, in a despondent voice.

"Ah! I see a bright spot in the heavens—it is so, the moon is coming out again." And as he spoke, the silver-glimmering orb burst forth in her bright effulgence, and scudded merrily through the twickering twigs of the high trees.

The dark masses of pigeons were piled up in the trees around till scarce a bough was visible, and some trees bent to the very ground with their encumbrance; the thousands that whirred and fluttered through the air in every direction, were now distinctly visible, and presented a singular and wild scene.

"Angels and ministers o' grace, defend us!" cried Aukley in my ear,—yonder's a veritable ghost, Ernie, sure as shootin."

"Where?"

"Look, under yonder tree—that thing! Did you ever see such an object since the day you was born?"

"Bless me! what can it be?"

It was a white roundish object, of no particular shape, and very frightful to behold. Wad and I cautiously drew towards it, and we found it to possess some faint resemblance to a human being, apparently asleep or dead.

"By all that's funny, it's the Colonel, as I live," cried Aukley, going up and giving it a punch in the ribs with his gun-but, that brought him to his feet instanter.

"Heh-yo! good Mr. Devil, don't stick your pitchfork into me so strong. Lord! I thought I was dead! Who's here?—thieves! help! murder!—Out, ye cut-purses, or I'll show you what virtue there is in a musket ball." And the Colonel raised his gun to his shoulder. I knocked it up. "Why, Colonel Overton, is that the way you treat friends?"

"Friends? What! boys, is it you? Dear me, I am exceedingly astonished! Devilish glad to see you. By all the kettles in Lucifer's kitchen, I thought I was a gone sinner, and had given myself up to die here in the woods. Run me through a carding machine, or a cotton gin, but may I never be dragged through a pigeon-roost again!"

"Why, what's the matter, Colonel?" I asked, choking with laughter at his ludicrous appearance and rueful countenance.

"Matter!" he growled angrily, "I've spent the night in Tophet, that's *all*."

"Ha! ha! hem.—Beg pardon, Colonel, but what have you done with your nether integuments?"

The Colonel was not an Adonis in shape when he had his Sunday's on; but the figure he now cut was inconceivably comical. He was literally covered with mud, blood and feathers, with a dash of green slime where he had fallen into some mud-hole. His coat had not a rag of tail left, and his other vestments seemed to be nothing but rags, while of his trowsers nothing remained but the waistband, and a few streamers attached

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thereto; his top-boots and a Kilmarnock night-cap being the only integral garments I could observe about him. The ooze and pigeon feathers which covered him, looked as if he had undergone a sentence from Judge Lynch. He stepped out ruefully, and cast a dolorous glance at his plight, as he shouldered his musket, which we now discovered was blown to pieces, with little but the stock remaining. Flesh and blood could stand it no longer, and Wad burst into a paroxysm of laughter.

"You may laugh, young gentleman, but if you had gone through what I have, you would not have much inclination that way. All this blessed night have I traversed this infernal roost from one end of it to the other: devil of a soul did I see the whole time, though they were shooting all around me. Whenever I saw a flash from a gun, I made right for it, hallooing with all my might; but no use, I could'nt find anybody. The infernalish hag-ridden, witch-possessed race I have had, tearing and sweating through the bushes, crawling through briers and thorns, and falling into mud-holes and quagmires until I am as sore as if I had been dragged over a hemp-hackle. Finally, I found this bed of leaves, occupied by an old sow; I drove her out, and took possession, determining to rest my bones here till morning. In falling over a bush, my old musquitoon went off, and bursted to flinders. It is a great wonder I didn't get killed, or at least seriously hurt; but fortune favored me that time."

By this time the moon was shining as bright as day, and after our mirth had somewhat subsided, we found a puddle, where the old gentleman removed some of the filth and mud that encumbered him, and we continued our route homeward.

Half an hour's walk brought us all three to the camp, where we found no one awake but Bolivar, who seemed to be acting sentry. Chunk and Montmery were both far journeying in the land of Nod, and Bolivar's eyes did not look half-an-hour high.

While the Colonel and Wad were relating to him their adventures, I made a vigorous attack on the comestibles, finding my appetite whetted very keen by my ramble. After devouring an indefinite quantity of sandwiches, roast potatoes, and porter, I finished with a cigar, and took a look around: found all snoring away, each in a different key, like a concert of bullfrogs in a swamp—except Munro, who had finished his nap, and was martyring a squab, feathers, insides and all, on the end of a stick over the fire. The trees and the fire began to dance and glimmer and spangle in my eyes, and as Pack says, the next thing I knew I didn't know nothin'.

It was scarce breaking day, when I was aroused by Montmery and Aukley to go out and shoot some birds with them; now was the best time, as the pigeons were some of them taking a short nap; and as most of the firing had ceased, there was not so much to disturb them. It was just light enough for us to distinguish the dark masses of birds; we could now shoot with a better aim, and we made great havoc among them, bagging nearly three hundred in a very short time.

"I say, Ernie," quoth Montmery, as it grew a little lighter, "I wish I had a looking-glass."

"What for?"

"I want to show you your face, what with dirt, burnt gunpowder, blood and feathers, I don't think Miss Laurine would be tempted to kiss you this morning. I beseech you to take a squint at your trowsers in the

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mean time; a rag merchant would have turned up his nose at them in disgust."

"Bah! they are nothing to Wad Aukley's here—he is in real Arkansas costume—nothing but his boots and the waistband of his drawers."

"But just see here—oh! magnificent!"

We had just risen a little hillock, when the rising sun loomed up from his cloud couch, and shone on a scene of splendor truly indescribable. We had ceased firing some minutes before, and all was as still as death.

The eminence overlooked a vast forest-plain, the bright rays of the rising sun beaming in level lines of light from the blue hazy horizon upon that scene, and every tree and every limb and every twig in that forest, almost as far as the eye could reach, covered and bending down with the graceful and reposing forms of the wild pigeons; their gorgeously-tinted, gold-burnished breasts glittering in the sunbeams—one vast panoply of green and purple gold spread over the whole forest as if by the wand of a magician. Words cannot convey the superb beauty of the scene. Each tree, and taken in a view the whole landscape, was but one mass of this sparkling plumage.

Anticlimax indeed! I only wish it was some gifted poet to do justice to so much beauty, instead of the rude, untutored pen of a Kentucky backwoodsman.

An hour after, what a contrast! As the sun mounted higher, batallion after batallion took wing and hied away in every direction, in quest of food; and the trees, which were before absolutely trodden by the weight of legions of birds that swarmed in their branches, now presented a scene of lamentable desolation. They are crushed, mangled and bent in every direction; large trees bent over till their topmost boughs touch the ground, some with their trunks snapped off like pipe stems, and hundreds with every branch stripped off. If a hurricane had passed over, it would not have left a more wasted and desolate scene behind. Not a living thing to be seen, save a few foxes and wild hogs devouring the dead birds that lie scattered over the ground, the victims of the sportsmen, or the fall of trees and branches, and a huge goshawk here and there, or an eagle, soaring over the scene of carnage. The darkness and the bushes cause the sportsman to leave half of his birds on the ground, and the wild hogs absolutely get fat on them. And *apropos*, I have frequently had most glorious sport chasing the wild hogs of the barrens.

As we returned from the roost, we presented even a more unique company than in going; so much so, that aunt Eliza set the dogs on us when we rode up to the yard gate.

VI.—THE BIG SPRING.

Time now flew by on golden wings: I had all the happiness that I could ask for. Bolivar was half his time out at Reedyrill with me, and I was a good portion of the other half in town with him, at Lawyer Blount's tall, stately, old-fashioned brick mansion, enshrouded in stiff formal trees, that were surrounded by a high white fence of the utmost rectitude; there was, nevertheless, much fun of a quiet, quaint and queer quality, such as I enjoyed, from the very fact of its being unique, and so dry and drumly.

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Out at Reedyrill we had glorious fox chases and partridge huntings, turkey huntings, deer huntings, and every other kind; and at night, when we were not possum-hunting, or at some other lark, we were equally occupied with the most famous fiddlings and dancings, and whist, and the lord knows what junketings of every imaginable kind.

I had been one day, the week after I returned home, out by myself with my gun, roaming through the grand old forest, that, skirting the "barrens," lay to the east of Reedyrill, towards Puckshenubbie—such a ramble with my rifle through Reedyrill forest on some dreamy Indian-summer day, I esteemed as one of the most delicious feasts of ideal enjoyment and intellectual delight imaginable; basking in the warm, sleepy sunlight, listening to the distant wood-dove cooing his melancholy love-song—watching the gaudy redbird with his ca-a-to! ca-a-to! the noisy jay doing all sorts of eccentric vagaries in the branches overhead, the graceful oriole swinging on outmost branch of tall elm, or on broken limb of old dead oak, cosily nestling his delicate plumage of brown and gold in a straggling sun ray.

Couched at my feet lies Hero, noble fellow, his black nose nestled between his paws, and his intelligent eyes, half hid by his drooping lids, looking out in a half-awake dream upon the beautiful scene.

Before me is the "Big Spring," one of the lions of Reedyrill; it is in the centre of a shallow-wooded dell—the "old field" on one side, the path to the house on the other; a sink-hole of enormous size, say sixty feet in diameter, formed by an opening through the substratum of oolitic limestone, which is the general geological formation of the "barrens,"—there are two of them, rather, forming two huge pools of water, of the shape and character called by the Mexicans, *senotes*—reservoirs, as it were, formed in a fissure or great chasm through the limestone, blue, deep, and cold almost as ice-water; two immense cisterns, full of limpid water, so deep and clear, that it is as blue as the reflected sky above it; side by side in the same basin, separated by a subaqueous bridge of rock, now covered over with sand and loam alluvium, so as to form a small island, around which runs the water in a bold, clear stream, two or three yards long on each side; the water rising in the upper "hole," and sinking in the lower, having no overground outlet—breaking out, however, two or three hundred yards below, into another smaller spring, and forming the source of Reedyrill.

The surrounding banks slope down to the edge of the pools, which is formed of moss-covered rocks, going abruptly down like a wall, so that a foot from the edge you could sink a line fifty fathom; the grass-covered slope around forms a sort of amphitheatre in the midst of a piece of grand old forest, and tall sycamores, and vine-clad poplars; and bending willows on the edge droop their branches into its stilly bosom. A winding pathway leads up one side to Reedyrill Cottage.

The spring was in the edge of the grand old wood I spoke of a bit ago, called Reedyrill Forest. How beautiful were the old majestic oaks, and elms, and poplars, and ashes, around! Like old weird sprites, did their hoary trunks cluster and darken in the distant shades of the forest, like a wittenagemote of grim Norse herogods in the halls of Valhalla, stretching awide their mistleto-tufted and lichen-covered branches, from which hung in many a festoon, and twisted, with creepers, grapevines in wild luxuriance. How well in a picture would look yon thick clump of sweet-haughs,

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with its umbering of bright scarlet berries, and that thorny old honey-locust, with its slender fibrous twigs, and its gnarly trunk bristling with long spikes, like quills upon the fretful porcupine!

We lay on the mossy slope, ruminating, I and my dog; I believe he enjoyed the halo of romance that seemed to pervade everything, as much as I. Animals have souls, in my belief, anyhow—at least dogs and horses. That they have no power of language, and no infinite development and progress of mind, is no reason that they possess not some degree of intellect—or even that their spirits are not immortal. We had both at length sunk into a sort of dreamy doze, when we were aroused suddenly by the sound of approaching footsteps, coming down the path which led from the cottage; we being on the opposite side, and concealed from view by an intervening clump of elder bushes. Hero uttered a low, half-suppressed growl, but I stopped him by a motion of my hand, and peeped through the bushes to see who it was disturbed my meditations; it was a graceful black-eyed girl, with raven curls flowing unconfined over her shoulders, roundly-moulded limbs, dark oliveate complexion—a beautiful girl—Laurine Iveson! I knew her at a glance. She had a small book in one hand, and a cocoa-dipper, bound with silver, in the other. She skipped merrily down to the water's edge; not a bit of that proud, cold formality I had heard about,—more of the buoyant *insouciance* of a school-girl. She stooped, took a drink, and then began dabbling her white dimpled fingers in the transparent water, and presently seated herself on a rock to read, unobservant of the intruding eye that was gazing on her beauty in silent joy. Ay, throbbing, throbbing was my glad heart, at this sight, so fascinating to my encharmed senses. Crouched in my lair, I watched her every movement, like some keen-eyed goshawk hovering over a gentle dove, perched unwittingly on the topmost green swinging bough of some lofty tree. My whole frame thrilled and trembled with pleasure. I was just debating in my mind whether I would get up and make myself known to her—every moment fearing a discovery; or let her go away ignorant of my presence, when a circumstance occurred which unavoidably caused me to decide, and that quickly, what I would do. At the instant that my mind was at this point of uncertainty, I heard a loud, coarse exclamation of surprise and pleasure emanate from behind her, and in a cluster of bushes similar to the one I occupied; Laurine looked around in alarm and started, as did I, to see a herculean mulatto of fierce, brutal countenance, and to all appearance partially intoxicated, approaching her with rude familiarity, and a brutal grin. It was mulatto Mat. With ruffian audacity he approached the young girl, who was pale and half-dead with terror; and taking off his hat, with a mocking bow, said,

"Good morning to you, my pretty little missis: what is little lady doin' down here by herself?"

"Fellow,—begone, instantly!" cried she, drawing herself up with all that proud grand haughtiness Floralie had told of. "Off, slave," said she, spitting on him with supremest disgust, as he made a step nearer. "If you dare come nigher, I'll have you whipped to death."

"Ha! ha! little missis must not look so mad," said Mulatto Mat, "it'll spile her pretty face. Come, you must let me steal a kiss," and the hound had the audacity to attempt to put his arm around her waist. Scarcely had he extended his hand towards her, when the sharp report of my rifle burst upon his ear, and his impious arm fell nerveless at his side, and in an in-

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stant, Hero's fangs were buried in his throat; while, darting from my ambush with the rapidity of thought, I bounded towards the negro and dashed the but of my gun into his face; but he dexterously evaded the force of the blow, quick as it was given; by stooping, and shaking himself loose from the grip of the dog, he drew a long knife, and made a desperate lunge at me; I parried it, but received the point of the knife in my arm. Just then I recollected that I had a small pocket-pistol by some chance in my pocket, and stepping back a pace, I cocked and levelled it; but as the Mulatto saw me in the act of firing, he made a sudden leap into the air, and before I could imagine what he meant to do, I saw him *churp* into the water, head foremost, leaving no trace but a circling wave behind!

"The devil!" exclaimed I, astonished out of my propriety by this unaccountable *denouement*, "what does *that* mean? Why, the water there is more than three hundred feet deep!" I paused a moment to see if he would not rise somewhere, but saw nothing but a few rising bubbles.

Miss Iveson, with equal surprise, now turned to me a look of inquiry, as if asking an explanation of the singular phenomenon. As soon as I could somewhat recover from my bewilderment, I took off my cap, apologized for my rudeness, and offered the felicitations usual on such occasions, which she received, and returned thanks for my timely interference, with no girlish embarrassment or awkwardness, but with gay, high-bred ease and courtesy, and no namby-pamby, sentimental stuff about her preserver and everlasting gatitude, and all that. I was much pleased with the sensible and graceful manner in which she made her acknowledgments. I introduced myself as Ernie Kerne, of Reedyrill, and offered my services to see her home. These she frankly accepted, and added, simply—

"My name is Iveson, daughter of a neighbor of yours, Mr. Kerne, with whom, I have no doubt, you are acquainted. I have heard Miss Overton, who, I believe, is your cousin, speak of you frequently, and, though I believe you have been absent from home for sometime, I think I might almost claim an acquaintance; for, when a child, I recollect you frequently at my father's house. But," she added, gayly, and I fancied there was a compliment implied in her looks as she said it, "I never would have recognized you in the tall young gentleman I see now."

My chains were riveted as I listened to her fascinating voice, and watched the play of her queenly countenance. She explained to me that Floralie had started with her, to show her the Big Spring, but had stopped at the quarter to see a sick negress, and she had strolled on by herself.

I, of course, with all gallantry, expressed myself happy to have been able to serve her, and that I by no means anticipated the pleasure of forming her acquaintance under such novel circumstances. I was gloating over the romance of the thing, you see.

"What could the fellow mean by drowning himself in that strange, unceremonious way?"

"He must have been drunk or crazy; probably both."

"He certainly was the latter," said I.

"Dear! how I was frightened! How fortunate that you were near at hand," said she, turning her lustrous black eyes beaming upon me, with an expression that perfectly intoxicated me.

While I was explaining how I came to be so near at hand, we were joined by Floralie, and after relating the adventure to them, and its singu-

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lar *finale*, which brought us to the gate at Puckshenubbie, I lifted my cap with a low salaam, and turned my course homeward.

VII.

"I have seen her, Floralie," said I, a day or two after, as we sat together in the little trellised portico that opened on the garden at Reedyrill. I had just returned from a set call at Black Oak, where I had been "worshipping," in due form, at the shrine of my new divinity, Laurine Iveson.

"Well?"

"I have found her even more higher, greater than I anticipated. None of that icy formality and selfish hauteur was manifested—to me at least. Dignity, grace, beauty, majesty, these blended will present the best idea. None of your wild, gay, romping, volatile creatures; doing brilliant things, saying brilliant things, uttering crystal-rayed fancies, all glitter and gilt, like sunlight glances on the snowy foam of a water-fall—heliochromatical humbuggery—tintinnabulations of empty glass bells—meaning nothing. Here was the calm serenity, the logic-linked unity and correlation of the beauty of pure reason. It was the life-coloring and animate formation of flower-work compared with dead geometry of crystal work.

"Hum!"

"Yes; there was none of the fantastic apery of shallow minds—here was the deep grand beauty of an infinite sea of intelligence in those dark eyes. I could almost fancy I was talking to one of the antiœval angels who were behind the scenes when the world's constituent elements were eliminated into accord by the fiat of Deity.

"And yet when she smiled, there was a gay, glowing beauty, never equalled by your butterfly-tinted minds. In conversing with her for more than an hour, I was almost blinded and bewildered in following the eagle-soarings of her intellect. There was none of the 'blue' about her; indeed, rather did she go too far to the opposite extreme; there was an utter abhorrence of *bluism*, not expressed, but manifested in her tone and train of thought. She seemed almost to affect the common-place in the garbing of her ideas. Her language was the strong nervous Saxon of common colloquial intercourse: but selected, deep, rich and melodious. It seemed so to me; but her intoning was so full of music, that I may have been estrayed with that. There was a current of glowing, original and poetical fancy escaping out through her seemingly barren and flowerless language, rare as it was beautiful, and either so natural or so artful, that with closest study I could not detect the art.

"I apply the term of 'eagle-soaring' to her converse, because there was a masterly nervous perception, appreciation of the poetry of common life, which would gleam out in glimpses now and then along the quiet current of a conversation which, to an inattentive or unapprehensive listener, would have appeared almost dull—that none but a master-mind could manifest Laurine Iveson is a woman of genius of the highest stamp."

"You are a favored youth," replied Floralie, with a sort of half smile, that I verily believe was cancelled by a sigh. "Laurine is a woman of genius, as I told you at first: but I really believe she is too proud to let the commonalty, who could not appreciate her, have any suspicion that such is the fact."

"I hardly know but that I ought to condemn that pride in her you speak

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of, in that it is a degree of selfishness. But all are selfish, in some way or other; and hers is, I must say, the highest and most refined manifestation of it I ever saw. You have none of it, dear Floralie—none of any kind—and insomuch I must declare you are greater, and of a nobler nature, than she."

"Oh! I? No, I am *not* selfish—I may flatter myself so far; but that is a sort of negative quality, the only kind I possess I wish I was a woman of genius, like your Laurine."

"*My* Laurine? She's none of mine. I have told you over and over that I love her not. That she is not the kind of woman I could love."

"Well, you are a queer, paradoxical fellow, and say things, I believe, just for the purpose of puzzling people. But if I am any judge of such matters, I would say that you love her pretty extensively."

"Come, now, you are a lover; give me some tokens by which I may know if I be in love or no."

"*I* a lover?" and she blushed crimson.

"Pshaw! now don't go to blushing about it, or I shall believe my jest was a true word spoken. In love? Why, yes, and I always thought you ought to make me your confidant."

"*You* my confidant?" asked she with an air of perplexity and embarrassment that I could not understand.

"Why yes, you know I made you mine when I used to be enamored with Bessy Raymond."

"What do you mean? You know I—I—am not in love with any body."

"No? You would'nt tell Ike Montmery so, you sly rogue."

"Ike Montmery!" and she burst into a hearty laugh; "I never dreamed of such a thing. But now I think of it, Ike is a mighty nice fellow, and I believe I will fall in love with him right away."

"Ah! I admire your tact. But here comes Thealan, and with what a rueful face! Hallo, Chunk, lad, what's wrong with you?"

"Everything," said he, making a ludicrous contortion of countenance as he approached with a huge frown on his brow. "Here is my little King Charles Poodle, that I was raising for Anne Macoun, drowned himself in a basin of milk, and Murro, the rascal, has broke the lock of my new gun. And, confound it, there is Uncle Sebastian going to take Molly and Flower, and Anne Macoun, to Columbia to school to-morrow, and the Lord only knows when I shall get to see 'em again."

"What a concatenation of calamities!"

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SCRIPTURE GEOLOGY AND SCRIPTURE ASTRONOMY.*

After the palpably futile attempts of Buckland, Pye Smith, Miller, Anderson, Hitchcock and others, to reconcile the letter of Scripture with geology, it is refreshing to see a book like this, which candidly impales itself on the Biblical horn of the dilemma, and ignores geology altogether. The author denies that the world is more than six thousand years old, or that the universe was made other than in six literal days, and thinks the deluge "a far more credible and satisfactory" mode of accounting for the changes which the phenomena of the earth exhibit, than the theory of geology. He admits there are difficulties in the way, and says:—

"Let us meet all objections fairly put, whenever an answer is practicable, but when it is not, it is *legitimate* to fall back on the authority of the Bible. Here is our vantage ground. . . . . A firm, cordial belief in God's revelation to man limits while it awakens the spirit of philosophic inquiry; and had its study been pursued in connection with physical researches, its advocates would have been spared the pains of combating many a theory which leads, by necessary inference, to its rejection. We are not exciting groundless apprehension; *much less do we betray a state of mind in unison with such prejudices as were arrayed against Galileo. To confound the advocates of the Mosaic record with the ignorant, bigoted, persecuting priests* of a dark age, is, to say the least, not very consistent with well-grounded claims to superior acumen. The discoveries of that much injured astronomer did not conflict with revelation; but some of our modern geological theories clash directly with the teachings of Moses. Even to refer the period designated by 'the beginning' to millions of ages back, in order to account for certain stratified formations and fossil remains, is to contradict the record which refers the creation of those vegetable substances of which beds of coal are composed, and of those animals of which fossils are discovered, to the third, fifth and sixth days; or that the lights of heaven existed long before the Mosaic era, and that they then, owing to a further purification of the atmosphere, on the fourth day became visible in the firmament, and assumed new relations to the newly modified earth, is a supposition which cannot be reconciled with the declaration that God made two great lights, and then set them in the firmament. Hence, among the supporters of such theories may be found those who assume the ground that their faith in revelation has no connection with their views of the work of creation; who abandon not only the Mosaic account of the creation, but the unity of the race, the universality of the Deluge, and the reason for the institution of the Sabbath. Among this class, too, may be found those who discard the Scriptural belief that death was the consequence of sin, and that animal sacrifices were of divine appointment; and who are wont to disparage the credibility of the miraculous portions of the Old Testament, on the ground that all the early nations were extremely prone to hyperbolize! Through the tendency of neological views on the one hand, and of geological speculations on the other, it has become not uncommon to represent the Pentateuch as a collection of popular traditions, having scarcely any more foundation, in fact, than the legends of classical antiquity; and, with the writings of Herodotus, or the poems of Homer, to

* The Epoch of Creation. The Scripture doctrine contrasted with the Geological Theory. By Eleazar Lord. With an Introduction by Richard W. Dickinson, D.D.: New-York, 1851.

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be philosophically referred to an age of fabulous uncertainty. Sometimes ridicule is employed; then difficulties are insinuated under the mask of philosophy, or of science; and then, again, we are gravely told that the Bible is not a revelation of science, or that it can readily be explained, in accordance with geological deductions, by putting a different construction on this or that part, or by resolving the particulars of the Mosaic account into general terms or figurative language. . . . . What do the Scriptures teach respecting the work of creation? is the one great question considered in this treatise. It brings to the support of the Mosaic record, arguments drawn from the laws of Biblical interpretation in relation to the use of the term *beginning;* from the positive statement of the sacred historian, that, in the space of six days, the generations of the heaven and earth were completed; from the fact that, throughout the Scriptures, the formation of man is referred to the same period, or included in the six days' work of creation; from the reason assigned for the institution of the Sabbath, and for the *stress* afterwards laid on this fact, growing out of the antagonism of all idolatrous systems of religion to the acknowledgment of God's rights as the Creator; from the fact that the delegated work of Christ is referred to the same period with the creation, and from the glory and honor due and ascribed to *Him*, and without whom was not anything made that was made."—*Introduction.*

This long quotation enables the author to "define his position" without much ambiguity, and he has unquestionably taken the only honest ground on which to fight his battle. He thinks there is no use in mincing the matter any longer—that Scripture and Geology cannot be made to agree any more than oil and water, and forthwith he must needs blurt out the fact. Others, to whom the interests of the Church were dear, have done their best to cover up, and get round, and explain away the truth; they were unwilling, doubtless, to admit it even to themselves. As Messrs. Lord & Dickinson have thought proper to throw off all reserve, it becomes necessary to point out the conclusions to which their premises infallibly tend. In point of fact, the literal interpretation of the Bible is as opposed to Astronomy as it is to Geology. In hope, therefore, of inducing the learned and pious authors to modify in their next edition the quotation given above, so as to include Galileo and Lyell, as it were, in the same boat, we proceed to gather the astronomical teachings of holy writ, in the same spirit of verbal criticism with which Mr. Lord proves his point.

And, first, what do the Scriptures teach in regard to the earth? It is evident that it is the centre of the universe, the sun, moon and stars being mere adjuncts "set in the firmament of heaven *to give light upon the earth.*"* It is an extended plain, so that from a high mountain all the kingdoms of the earth might be seen at once.† It has breadth, ends, and four corners.‡

The earth is immovably fixed upon foundations, corner-stones and pillars, underneath which is water. "He hath established the earth on its foundations so that it shall not be moved forever and ever.—Where wast thou at my laying the foundations of the earth? Narrate, since thou possesseth full understanding, who applied measuring rods to it? Since thou knowest, upon what were its bases let in? or who laid a stone for its corner? He shaketh the earth out of its place, and the pillars thereof tremble.—The pillars of the earth are the Lord's, and he hath set the world upon them. The earth and all the inhabitants thereof are dissolved; I bear up the pillars of it. Hear ye, O mountains, the Lord's controversy, and ye strong foundations of the earth. For upon the seas he hath founded

* Gen. i. 17. † Luke iv. 5.
‡ Job xxxviii. 18; Isa. xl. 28; Rev. vii. 1; Isa. xlv. 22; xi, 12.

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it, and upon the streams he hath fixed it. O give thanks to Him who hath spread out the earth upon the waters. Thou shalt not make a graven image of anything that is in heaven above, or in the earth beneath, or in the waters under the earth; generation cometh and generation goeth, but the earth forever standeth."*

But these, our author may reply, are figurative expressions, and must be interpreted by the light of modern science. Let him take care lest, by so doing, we be setting to the infidel geologists an example of wresting the Scriptures to their own destruction. The next thing some "hammer-bearing philosopher" will say, the six days of Creation are figurative, and "then the Sabbath can no longer be regarded as the divine memorial of God's six days' work of creation." Consistency is a jewel. It is a bad rule that will not work both ways.

Next let us inquire what the Scriptures teach in regard to the sky or heaven. And here two good old English expressions will help those who have been led away by the new-fangled Copernican philosophy to realize the truth. It is a proverb, "if the sky falls, we shall catch larks;" again: we say of a multitude, "a shout went up that made the welkin ring."

> "Now my task is smoothly done,
> I can walk, or I can run,
> Quickly to the green earth's end,
> Where the bow'd *welkin* slow doth bend."—*Milton.*

This welkin is, in fact, the *firmament* of Gen. i. 6.

"It is said, Gen. i. 7," says Cruden, "that God made the firmament in the midst of the waters, in order to separate the inferior from the superior waters. The word there used is *rakiah*, which is translated expansion, something expanded, or firmament, something firm and solid. The verb *rakah* from whence *rakiah* is derived, signifies to spread metal with the hammer, to make flat, to crush to pieces, to beat. Moses uses this word to describe the gold which was beaten in order to cover the ark and the tables of the holy with it; Exod. xxxix. 3, Num. xvi. 38, 39. Isaiah, to denote the plates of gold wherewith the idols were covered, Isa. xl. 19, and the same prophet and the psalmist to express the spreading forth of the earth and its floating on the waters, for this was the conception which the Hebrews had of it. Isa. xlii. 5; Psal. cxxxvi. 6."†

As this is rather an important point, it may be well to strengthen it by a quotation from the Rev. J. Pye Smith, D.D., LL.D. It will be found in his work entitled, *Relation between the Holy Scriptures and Geology*, pp. 180–181, Phila. ed. Of this book, Dr. S. G. Morton says, "I regard this among the most instructive volumes that has issued from the press since the revival of letters, and for this reason,—that it constitutes a link between religion and natural science—studies which have hitherto been as isolated as if they were incompatible with each other."

"The Hebrew word (*rakia*) is commonly translated *firmament*, after the example of the Septuagint (στερέωμα) but many modern critics have sought to mollify the unphilosophical idea of a solid concave shell over our heads, by using the word *expanse*. No doubt they felt their minds acquiescing in this term, as expressing very well the diffused fluid which surrounds the earth; and so leaving us at liberty to conceive of its increasing tenuity, till it is lost in the planetary

* Ps. civ. 5; Job xxxviii. 4, 5, 6; ix. 6; 1 Sam ii. 8; Ps. lxxv. 3; Mic. vi. 2; Ps. xxiv. 2; Ps. cxxxvi. 6; Ex. xx. 4; Eccles. i. 4.

† Cruden's Concordance, article Firmament.

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spaces. But this is the transferring of a modern idea, to times and persons which had it not. The Hebrew language had no word for *air*, properly speaking: because they knew not the thing. Their nearest approaches were with words that denoted watery vapor, condensed and thus rendered visible, whether floating around them, or seen in the breathing of animals; and words for smoke arising from substances burning; and for air in motion, wind, a zephyr—whisper, or a storm. But of elastic fluids they had no idea. The word under consideration strictly signifies a solid substance, *extended* by beating out, or rolling, or any other mode of working a ductile mass. The old word *firmament*, was therefore the most proper. Examining the whole subject, by connecting it with some passages which have been quoted, and some yet to be mentioned, we acquire an idea of the meteorology of the Hebrews. *They supposed that at a moderate distance above the flights of birds was a solid concave hemisphere, a kind of dome, transparent, in which the stars were fixed as lamps; and containing openings to be used or closed as was necessary.* It was understood as supporting a kind of celestial ocean, called 'the waters above the firmament' and 'the waters above the heavens.' "This was the grand reservoir, containing water to be discharged at proper times in rain, with which were connected water-courses for the overflowing, or pouring out."*

Accordingly we read, Gen. vii. 11, that at the deluge, "The fountains of the great deep (the waters under the earth) were broken up, and the *windows* of heaven were opened." In Gen. viii. 2, these "windows of heaven were stopped."

The solid crystalline † arch of heaven was opened also, to permit communications between earth and heaven, as in Jacob's dream, Gen. xxviii. 13. "And behold a ladder set upon the earth, and the top of it reached to heaven; and behold the angels of God ascending and descending on it. And behold the Lord stood above it, and said," &c. Parallel to this is the passage, John i. 51. "And he saith unto them, verily, verily, I say unto you, hereafter you shall see heaven *open*, and the angels of God ascending and descending upon the Son of man." The translation of Enoch, the ascension of Elijah in a chariot of fire, and of our Lord in a cloud, are far more easily conceived by an ingenious adoption of the real cosmogony of the Bible, than by supposing, with the astronomers, that our world is globular, spinning round in space—a third rate planet, almost imperceptible in the vast extent of the solar system, that system itself almost an insensible point in immensity. Our Galileos would have us believe, forsooth, in a heaven where suns like our own may be reckoned by millions, and where the planets that roll around them are beyond all our powers of vision; that the whole system to which our planet belongs is but a subordinate unit among a galaxy of stars, that galaxy but one among many which, as vast in size and as glorious as our own, are scattered indefinitely through infinite space.

No, no; the orthodox doctrine is, that above our solid heaven are others concentric with it, into the third of which St. Paul testifies (2 Cor. xii. 2) he was caught up. "The idea of a crystalline vault of heaven was handed down to the middle ages by the fathers of the Church, who believed the firmament to consist of seven to ten glassy strata, incasing one another like the different coatings of an onion. This supposition still keeps its ground in some of the monasteries of Southern Europe, where I was greatly surprised to hear a venerable prelate express an opinion in refer-

* Job, xxxvii. 25. † Ezekiel, i. 22; Rev. iv. 6.

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ence to the fall of ærolites at Aigle, which at that time formed a subject of considerable interest, that the bodies we called meteoric stones, with vitrified crusts, were not portions of the fallen stone itself, but simply fragments of the crystal vault shattered by it in its fall."—*Humboldt's Cosmos*, vol. 3, p. 169.

Heaven is not so far distant but that the builders of the tower of Babel hoped to reach it. "And they said, go to, let us build us a city and a tower whose top may reach unto heaven, and let us make us a name, lest we be scattered abroad upon the face of the whole earth. And the Lord came down to see the city and the tower which the children of men builded. And the Lord said, Behold the people is one, and they have all one language; and this they begin to do; *and now nothing will be restrained from them which they have imagined to do.* Go to, let us go down and there confound their language."* Can there be anything plainer than this?

The nearness of heaven is implied when the angel of the Lord called to Hagar and to Abraham "out of heaven."† In fact, the whole of both the Old and New Testaments recognizes this conception of the universe, and no other; to quote all the passages which express or imply it would swell this article beyond our space. A few more will suffice.

The standing still of the sun and moon at Joshua's command, and the reverse motion of the shadow on the sun-dial of Hezekiah, are absolutely inconsistent with the Copernican system, but are easily conceivable on the theory of Psalms xix. 5, 6, which represent "the sun as a bridegroom coming out of his chamber, and rejoicing as a strong man to run a race. His going forth is from the end of heaven, and his circuit unto the ends of it."

"The stars also," Gen. i., 16. These are very small matters, only worthy of three words in the account of the creation, and destined some of them to be cast to the ground and stamped upon, (Dan. viii. 10,) and the rest to fall to the earth, (Matt. xxiv. 29, and Mark xiii. 25,) before its final destruction. "And I beheld when he had opened the sixth seal, and lo there was a great earthquake, and the sun became black as sackcloth of hair, and the moon became as blood; and the stars of heaven fell unto the earth, even as a fig-tree casteth her untimely figs, when she is shaken of a mighty wind; and the heaven departed as a scroll when it is rolled together, and every mountain and island were moved out of their places." Rev. vi. 12, 13, 14.

It only remains to give the Scripture doctrine of hell, which is a corollary to that of the earth and heaven. The earth is an extended plain, heaven a solid arch above it, and hell a dark cavern beneath it. The Hebrew word *Scheol*, the Greek ᾅδης, or hades, (literally the unseen place,) and our English word, hell, (from a Saxon word signifying *hole*,) are nothing more nor less than a general receptacle for the dead under ground. A confusion of ideas in the popular mind has been created by King James' translators in two ways: *first*, by rendering *scheol* and *hades* in some places by the grave, as in Gen. xxxvii. 35, Jacob says, "I will go down to the grave (*scheol*, or hell) to my son mourning." *Secondly*, by an entirely different word, *gehenna* being also rendered *hell.*

The most elaborate description of hell is to be found in Isaiah xiv. 9 to

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* Gen. xi. 4, 5, 6. † Gen. xxi. 17 and xxii. 11.

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16: Speaking of the death of the King of Babylon, he eloquently says, "Hell from beneath is moved for thee to meet thee at thy coming; it stirreth up the dead for thee, even all the chief ones of the earth; it hath raised up from their thrones all the kings of the nations. All they shall speak and say unto thee; art thou also become weak as we? Art thou become like unto us? Thy pomp is brought down to the grave, and the noise of thy viols; the worm is spread under thee, and the worms cover thee. How art thou fallen from heaven, O Lucifer, son of the morning! how art thou cut down to the ground, which didst weaken the nations! For thou hast said in thy heart, I will ascend into heaven, I will exalt my throne above the stars of God.* I will also sit upon the mount of the congregation, in the sides of the north. I will ascend above the heights of clouds. I will be like the Most High. Yet thou shalt be brought down to hell, to the sides of the pit."

Again, "For they are all delivered unto death to the nether parts of the earth in the midst of the children of men, with them that go down to the pit. . . . They also went down into hell with him, unto them that be slain with the sword." Ezek. xxxi. 14–17. "Though they dig into hell, thence shall my hand take them; though they climb up into heaven, thence will I bring them down." Amos ix. 2. "And thou, Capernaum, which art exalted unto heaven, shall be brought down to hell." Matt xi. 23. This is the same word (hades) in the original which is translated, 1 Cor. xv. 55, "O *grave*, where is thy victory?" It should be in both places the same word.

There is a curious illustration of the ideas of the Hebrews in regard to the place of the deceased, in the Book of Jasher, as published by M. M. Noah, in 1840. A son throws himself on the grave of his mother, and calls aloud to her in his distress; to his surprise, she answers him from below, giving him comforting advice. We quote from memory only.

The descent of Christ into hell must not be understood of gehenna, but of hades. Still, the misapprehensions caused by indiscriminate translation, have fixed the meaning of hell now-a-days as a place of torment so strongly, that the use of the word in this connection causes scandal to some minds. The Episcopal Church, therefore, allows the substitution in the Creed of "He went to the place of departed spirits," in place of "He descended into hell"—(*descendit ad inferos.*)

The meaning attached to this article of the Creed at the time it was introduced (and by implication the meaning of the word hell in Scripture) is clearly manifest in the Apocryphal Gospel of Nicodemus attributed to the third century. The Canonical Gospels relate, that at the crucifixion "many bodies of the saints arose, and came out of their graves after his resurrection, and went into the Holy City and appeared unto many." In the Gospel of Nicodemus, two of these persons, Charinus and Lenthius, sons of Simeon, are found on their knees in the street, brought to the synagogue, privately sworn by God Adonai and the God of Israel, and induced to relate the mysteries of their resurrection in writing as follows: "When we were placed with our fathers in the depth of hell, in the blackness of darkness, on a sudden there appeared the color of the sun like gold, and a substantial purple-colored light enlightening the place. Presently upon this, Adam, the father of all mankind, with all the patri-

* These stars being "set in the firmament."

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archs and prophets, rejoiced and said, That light is the author of everlast ing light." Simeon arrives, and announces the coming of Christ. Adam causes Seth to relate what he heard from Michael, the archangel, when he sent him to Paradise to entreat God to anoint his head in his sickness. There is a quarrel between Satan and the Prince of Hell, concerning the expected arrival of Christ in hell. Christ arrives at hell's gates—great confusion ensues. "The mighty Lord appeared in the form of a man, and enlightened those places which had ever before been in darkness." Death and her officers are in great horror at Christ's coming. He tramples on Death, seizes the Prince of Hell, and deprives him of all his power. Beelzebub, Prince of Hell, vehemently upbraids Satan for persecuting Christ, and bringing him to hell. Christ gives Beelzebub dominion over Satan for ever, as a recompense for taking away Adam and his sons. Christ takes Adam by the hand, the rest of the saints join hands, and they all ascend with him to Paradise. Christ delivers Adam to Michael the archangel. They meet Enoch and Elijah in heaven, and also the penitent thief, who relates how he came to Paradise. Charinus and Lenthius being only allowed three days to remain on earth, deliver in their narratives, which miraculously correspond. They vanish, and Pilate records these transactions.*

The above synopsis shows pretty clearly the meaning attached to the word hades in ancient times. It would be interesting to examine the doctrine of future punishment (an entirely different thing) by the light of Scripture; but this, to do it justice, would require an article to itself, and we have no desire to trench upon theology proper.† Our object is simply an *argumentum ad hominem* against Mr. Lord and any others who believe in Astronomy, and revile Geology as unscriptural. If Scripture teaches one science infallibly, it teaches all sciences infallibly. Geology is only a stripling, and some people think a child fair game; but he has a big brother, Astronomy, who will not see him imposed upon, without retaliating. Dr. Dickinson thinks he does not at all "betray a state of mind in unison with such prejudices as were arrayed against Galileo." But if he does not, he ought to; for "the ignorant, bigoted and persecuting priests of a dark age" had far, far stronger scriptural authority for asserting that the earth stands still and the sun moves, than the highly enlightened pastors of our own day have for saying that the universe was created only 6000 years ago in six literal days, on the seventh of which God Almighty rested. If the Divine authority of the Sabbath, which seems to be the most important thing in danger from the heresies of Geology, is to be sustained on such grounds, the solid firmament of the welkin is indispensable to bear the load.

We have spoken plainly; but is there not a cause? Really, when these bibliolaters, as Coleridge calls them, try their puny efforts to stop the car of science by interposing the verbal inspiration of Scripture, it is high time they should be told plainly and distinctly the absurdities into which they plunge themselves.

A. L.

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* Apocryphal New Testament. London, 1821. Pp. 59, &c.

† See, however, the admirable and impartial dissertation on this interesting subject in Dr. Barrow's Sermons and Fragments. London, 1834. P. 202, &c.

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POLITICAL PORTRAITS WITH PEN AND PENCIL.

HORATIO SEYMOUR, OF NEW-YORK.

In introducing the subject of this sketch, a man upon whom, as one of the rising pillars of the state, the hopeful eye of the Democracy of New-York is intently fixed, it is believed that an interest attaches to him, not confined to the state of his birth and residence, and the scene of his entire immediate connection with political life. The powerful influence which the state of politics in New-York, from the very necessity of the case, exerts upon the welfare of the Democratic party of the Union, and the remarkable and anomalous position of parties in the state of late years, naturally gives an importance, as well as interest, to the career of one who has been prominently identified as a leader with the political movements, which have been looked upon by the country at large with so much solicitude, and which have been attended with such momentous consequences. As Mr. Seymour's connection with public life is wholly embraced within the period occupied by these movements, the writer will of course be called upon, cursorily of necessity, to notice some of the peculiar features of these bitter and very unfortunate controversies. Before entering upon this part of the subject, however, it is proper to give a brief sketch of his more immediately personal biography.

Horatio Seymour was born in the year 1811, in the town of Pompey county of Onondaga, in the state of New-York, and is now of course just forty years of age. He may be said with truth to be descended from distinguished democratic stock, his ancestors and numerous connections in this and other states having been, as far as the writer is aware, always attached to the Democratic party. The larger portion of the family in its various branches resides in the state of Connecticut. They are all the descendants of Richard Seymour, one of the original settlers of Hartford, in that state, where he and the two or three subsequent generations lived and died. Major Moses Seymour, of the fourth generation, served with distinction in the war of the Revolution, and was present at the surrender of Burgoyne. He represented, with great credit, and most acceptably to his constituents, the town of Litchfield in the legislature of Connecticut for seventeen years. He also held many important and responsible stations in the town church. He had five sons, of whom Henry Seymour, the father of Horatio, was one. He was born in 1780, and on arriving at man's estate, he removed to Onondaga County, in the state of New-York, whence, shortly after the birth of Horatio, he removed to Utica, where, after serving the state with great ability in the legislature, and as one of the earliest Canal Commissioners for many years, he died, leaving a large fortune and a distinguished reputation. A brother of Henry, whose name does not occur to the writer, was a member of the United States Senate, from Vermont, for about twelve years. The Hon. Origen S. Seymour, member of Congress elect from the Litchfield district, Connecticut, is a son of another brother named Ozias. The Hon. David L. Seymour, member

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of Congress elect from the Rensselaer district, New-York, and the present Governor Seymour, of Connecticut, are also, the writer believes, sons of others of these brothers. The father of Governor Seymour was, we believe, a soldier in the Revolution. The family have always been distinguished for their ability, and renowned for their patriotism.*

Horatio Seymour, having received a liberal education, directed his attention towards the study of law, was admitted early in life to the bar, and commenced the practice of his profession in the city of Utica. The cares of a large, and widely extended estate, however, devolving upon him on the death of his father, together with that of which he came into possession in the right of his wife, a daughter of the late John R. Bleecker, Esq., one of the wealthiest citizens of Albany, requiring all his time and attention, and taxing to the utmost his exertions for a number of years, he was obliged to relinquish the practice of a profession of which he had every prospect of becoming a successful and eminent member. In his duties as a citizen, and in all other relations in life, he has always been an active and influential member of the community, and his personal popularity was signally manifested, when he came before the people for their suffrages, by his election to the mayoralty, in the spring after his first election to the legislature, being then only thirty years of age, by a handsome majority, in a city where the whigs were, at the time, largely in the ascendant. Mr. Seymour had, from his youth, been strongly attached to the Democratic party, and performed his duty in the ranks with an ability and effect, which soon rendered him conspicuously useful. In 1841, having in previous years declined the same honor, he accepted a nomination for the legislature from the county of Oneida, and was elected by one of those large majorities so fashionable in that stronghold of the Democratic party. At this period, just ten years ago, commenced the public career of Mr. Seymour.

The history of the Democratic party of the state of New-York, since that period, has been a subject of curiosity and perplexity throughout the Union. The democracy of the whole nation have felt and realized the unfortunate results growing out of the divisions and dissensions which have prostrated the power of the party in this state, so long looked upon as the citadel, on whose preservation against the assaults of federalism, depended the triumph of the Democratic party in the Union; but they have regarded the causes which have led to these results, as too intricate a subject to be easily unravelled. That the conflicting statements of parties, more immediately connected with these dissensions, are calculated to embarrass the minds of those who depend upon the representations of others, rather than an examination of their own, for the formation of their opinions, is very true; yet, this is a subject so important, in the magnitude of its results, that it challenges the fair and candid investigation and consideration of every intelligent democrat in the country. The suicidal and pusillanimous policy adopted by the last National Democratic Convention, in not recognizing its responsibilities, and refusing to pass upon the question of organi-

* In the brief space of time allowed the writer to prepare this sketch, he has not had the opportunity of that communication with Mr. Seymour or his connections, which was desirable; and it is therefore not improbable that these personal details in regard to his family relations, as well as himself, are incomplete, and possibly not netirely accurate.

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zation, growing out of the division in New-York, which was brought before that body, as the sole tribunal competent to dispose of it, was, in a degree, the result of this disposition on the part of many members to avoid the difficulty of examining and deciding for themselves. This difficulty has been unnecessarily magnified and exaggerated. A candid consideration of the facts obviously presented, with the exercise of that ordinary discrimination or common sense which is the attribute of all intelligent minds, could, at any time, and with the greatest ease, demolish any difficulty that appeared to lie in the way. In political, as well as physical optics, when objects are thrown upon the retina in an inverted position, the brain, if allowed to perform its natural and friendly function, will very kindly set them on their legs. It is to be hoped that the next national convention may not be called upon to pass upon this much vexed question; but, if it should be, (and it is not at all impossible that it may be,) it is equally desirable that it should be met in a candid and discriminating spirit, and with a just and fearless determination to settle it on its merits. To repeat the error of the last convention will result in the perpetuation of the disorganization, and the permanent demoralization of the Democratic party of New-York.

The propriety of these incidental remarks, in connection with the present biographical sketch, should not be questioned, as the political career of Mr. Seymour has been so prominently identified and intimately connected with all the movements which have accompanied the controversy from its commencement, that the brief and hurried notice which the limits of the Review will allow, will necessarily touch upon some of the principal points involved in it. The continuous and earnest efforts made by Mr. Seymour to remove the causes of dissension, and to bring the masses of the party together on the broad platform of its ancient faith, from which a portion of them have unfortunately strayed, have been so conspicuous, that a cursory notice of the rise and progress of the division is conducive, if not necessary to a proper appreciation of his motives and conduct. It is not the design of the writer to discuss the merits of the subjects in controversy, but merely to let the circumstances attending Mr. Seymour's public course and action, point the moral deducible from the political movements in the State of New-York, embraced within the period alluded to. It is a lamentable, and not very creditable fact, that the history of the Democratic party of New-York during that period, is little else than a history of internal feud and discord—a history of "a house divided against itself." It is of course, as a necessary coincident, that this, for a great part of that period, is a history of disaster and defeat. It should not be inferred, however, that Mr. Seymour is to be regarded as an agitator in these divisions. He has always been the apostle of peace. In all the excitement of debate, and at every period of this heated controversy, he has constantly extended the olive-branch. Indeed, his efforts in behalf of conciliation have been so urgent, that their expediency has sometimes been questioned by many of his more ardent and irritated associates of the Old Line Democracy. It is not to be wondered at, that there should be a difference of opinion among the soundest democrats in regard to the true course for bringing back to the Democratic party the sheep that have strayed from the fold. Mr. Seymour's spirit is exceedingly liberal and generous, and these efforts of his in behalf of conciliation are the necessary manifestations of his natural disposition. In all his political course —in the legislature and in the party movements, in which he has partici-

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pated,—he has always gone in the same direction, as far as he could, without a sacrifice of his principles. As in the legislature, notwithstanding his liberality, he was the bold and efficient defender of the time-honored landmarks of the democracy, so he should be relied on as a faithful champion of sound principles now. In speaking of Mr. Seymour's characteristics, it may be as well to give in this connection a portion of a brief sketch given by Judge Hammond, in his "Political History of New-York." Referring to Mr. S., at the time of his service in the legislature, he says:

"We have seldom known a man who possessed higher aud better qualifications for usefulness and success in a popular government than Horatio Seymour. Kind and social by nature, affable in his deportment, possessing a shrewd, discerning mind, fluent, and at times eloquent in debate, enlarged in his views, liberal almost to a fault to his opponents, and fascinating in his address, no man seemed better calculated to acquire an influence in a legislative body than he, and few, indeed, at his time of life, have in fact acquired a better standing or more substantial moral power. He had early made himself well acquainted with the great and varied interests of the state of New-York, an acquisition which aided him much in debate, and gave him an advantage over older members, and which, at the same time, enabled him to render services in legislation highly useful and beneficial to the state."

Mr. Seymour was elected to the assembly in 1841, for the session commencing on the 1st January, 1842. The assembly comprised at that session an unusually large number of eminent and talented men. In enumerating them, Judge Hammond says:

"Horatio Seymour, from Utica; John A. Dix, late secretary of state, now United States senator, from Albany; Lemuel Stetson, from Clinton county; that learned and able lawyer, George A. Simmons, from Essex; John W. Tamlin, from Jefferson; John A. Lott, from Kings; Levi S. Chatfield, from Otsego; George R. Davis, from Rensselaer; the benevolent friend of popular education and of man, Calvin T. Hurlbut, from St. Lawrence; the active and energetic Halsey Rogers, and John Cramer, from Saratoga; Ziba A. Leland, from Steuben; Charles Humphrey, former speaker, and now clerk of the Supreme Court, from Tompkins; and Michael Hoffman and Arphaxad Loomis, from the county of Herkimer, were all men of distinguished ability."

It is sufficient evidence of the ability and character of Mr. Seymour, that although at that time quite young, just 30 years of age, he at once took rank as a prominent and leading member. The Democratic party had regained its ascendency in both branches of the legislature. Many important measures which cannot here be enumerated were passed, in all of which Mr. S. took an active part. The great measure of the session was the passage of the celebrated bill of Michael Hoffman in relation to the finances, which had such a powerful effect in restoring the depreciated financial credit of the state. This bill was supported by the democratic members with great unanimity; but met with violent opposition from the whigs. It was at this session that a schism began to manifest itself in the democratic ranks. It did not show itself in the debates, or in the action in regard to legislative matters, but in expressions of opposition to the renomination of Mr. Bouck for Governor, and to those who were supposed to be his especial friends. Strange tests of political faith began to be talked about—a new dispensation seemed to have visited some of the prominent members of the party, and it began to be insinuated that those who did not

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embrace it would be unchurched. Forgetting that the fathers and apostles of our time-honored political faith had based the Democratic party upon certain grand and comprehensive principles, "as broad and general as the casing air," they desired to substitute certain notions, or "isms," into the place of those principles. It is needless to say, that Mr. Seymour opposed these factious movements in caucus and otherwise, and refused to bow to these strange gods. The fire was, however, smothered for the time, and Wm. C. Bouck and Daniel S. Dickinson were re-nominated and elected Governor and Lieutenant-Governor of the state.

Mr. Seymour was a member of the assembly the succeeding session, as, indeed, he was until, and including the session of 1845. The session of 1843 was principally distinguished by an open effort to create a breach in the Democratic party of the state. Governor Bouck's administration was met at the threshold, by an organized, and vindictive opposition among leading men of the section before referred to. This opposition was manifested especially with reference to the appointments made by the governor. A bitter, sectional feeling was beginning to be fomented throughout the state. The particulars of the quarrel, at that period, cannot be given within the limits of this sketch. Suffice it to say, that the governor did all that was possible, in his judgment, to allay it. In the bestowal of his patronage, he endeavored to recognise no sections, but to divide it as equally as possible. This conciliatory spirit met with no response from the section in the senate in opposition to him, who voted with the whig members to defeat his nominations of those who were supposed to be his friends. This feud was most bitter in the senate, and did not make much manifestation in the action of the assembly. Mr. Seymour, however, exerted his strong, personal influence, in and out of the house, in endeavoring to stem the encroachments of this mischievous spirit of disorganization.

Among the masses of the party, however, the disorganizing spirit did not extend with sufficient violence to prevent a united action in the support of the nominations for the legislature in the fall, and a large and controlling democratic majority was returned to both houses. This, the session of 1844, was an exciting and most important one. Both branches contained a large number of able and influential members. To the assembly, among others, was returned Michael Hoffman, who had been the recognized leader in the legislature of 1842. He was known to be strongly opposed to Governor Bouck's administration, and was, of course, recognised as their leader, by the section that sympathised with him. In the excited, and somewhat acrimonious contests that occurred in the assembly, Mr. Seymour very soon became looked upon as the champion of the friends of the democratic administration. In this, as in the performance of the regular duties that devolved on him, on the floor as well as a member of important committees, he acquitted himself with marked ability. Mr. Hoffman was a powerful antagonist, and had been universally regarded as the most formidable man in debate in the legislature. Though he was dignified and chivalrous in his manner, he was excessively dogmatical and dictatorial, in the expression of his views. He was, as a general thing, tyrannical in the exercise of his power over those who differed with him, even when they happened to be among his most obsequious admirers, as was manifested, for instance, in the unmerciful manner in which he demolished the darling project of Mr. O'Sullivan, viz. his bill for the abrogation of the death penalty, on which he had hoped to rear a lasting fame. Such

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was the charm of Mr. Seymour's manner, and such the manliness and frankness of his general course, however, that he secured from Mr. Hoffman the most respectful consideration; and it was regarded by many, as a remarkable sight, to behold the domineering dictator of the house defer to the commanding courtesy of his competitor.

In reference to Mr. Seymour's participation in the general course of legislation, at this session, we have only space to refer, in particular, to his course on the canal policy. As this is a subject of interest and importance in itself, and as it will doubtless have a great bearing upon the coming contests in this state, it is worthy of a somewhat extended notice, which we can give in no better way than by quoting from Hammond's account of the proceedings of that session. He says:

"On the 23d of April, Mr. Seymour, from the committee on canals in the assembly, made a report on that part of the governor's message which related to canals. That committee consisted of Messrs. Seymour, M. L. Harris, Linn, S. Cole, and Dickinson. This report was drawn by Mr. Seymour, and occupies seventy-one large octavo pages. We do not hesitate to pronounce it one of the ablest and best-written documents ever presented to a legislative body. We should do injustice to the author of it were we to pretend to give a skeleton of it. From the able and masterly review that it takes of our system of internal improvements, the great mass of well-arranged facts it contains, its lucid, candid, liberal, and able reasoning, and brief, but intelligent picture it presents of the finances of the state, it will amply reward any person for the time which the perusal of it would occupy. It ought to be read by every statesman and legislator, who desires to be acquainted with the situation of the public works, and the financial condition of the state in the year 1844. It will be found in vol. vii. of the assembly documents of that year, No. 177.

"We will merely remark, that the report unequivocally takes ground in favor of sustaining and carrying out all the pledges of the act of 1842; that it shows there will be a surplus of revenue after redeeming those pledges; that it admits the necessity of suspending the enlargement of the Erie Canal, but recommends the employment of the surplus revenue in enlarging the locks upon it, in preserving the unfinished works, and in gradually progressing with the construction of the Black River and Genesee Valley canals; and where unfinished parts of the enlarged canal can be completed, at an expense not greater than that of repairs to contiguous parts of the old canals, as in the case of the Schoharie Creek aqueduct, the report recommends that such parts should be completed. The report condemns and repudiates the pre-existing policy of creating additional debts for the purpose of constructing new canals or enlarging the Erie Canal, and it commends the policy recommended by Mr. Flagg and the canal board in 1835, that only the surplus revenue of the canals should be used for such purposes.* The following are the concluding paragraphs of the report:

"The present period is eminently favorable for the establishment of a system of improvements which shall not conflict with the rapid payment of our great liabilities. But to accomplish this, the subject must be approached and treated with the fairness and candor its importance demands. If, stimulated by success, we have, in a period of excitement and delusion, exceeded the bounds of prudence or discretion, we have but fallen into the errors which ever attend upon the progress of human enterprises. The errors we have committed are not without their utility or profitable teachings. The corruptions of extravagance, and the bitter consequences of indebtedness, have produced their own correctives, and public opinion, admonished by the past, has returned to its accustomed and

* It is worthy of remark, that the principles advocated in this report are substantially those adopted by the last constitutional convention, and are now a part of the organic law of the state.

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healthful channels, from which it will not be readily diverted. There is no portion of our citizens who desire to increase our state indebtedness, or to do aught to the detriment of our common interests, when they are shown the evils that inevitably follow in the train of borrowing large sums of money, to be repaid perhaps in periods of pecuniary distress and embarrassment. But just views of political economy are not to be disseminated by harsh denunciations, which create the suspicion that there is more of hostility to the interests of those assailed, than an honest desire to protect the treasury of the state. Neither is it true, on the other hand, that any considerable number of our citizens are opposed to the extension of our canals when it can be effected by the aid of surplus revenues.

"The issue which has been made between improvements on the one hand, and finances on the other, is a false and unnatural one. And if the committee have succeeded in establishing the truth of their positions, we may and should have in this state a liberal system of internal improvements, furnishing the elements of and predicated upon a sound financial policy."

Mr. Seymour brought in a bill in accordance with the views of this report, which passed both houses.

The length to which this sketch has been already extended, renders it necessary to run over the events of the ensuing session, that of 1845, more generally. The great democratic triumph in the nation, in the election of Col. Polk to the Presidency, had inspired the party with an invigorated spirit. The divisions to which we have referred, but which we find cannot, for want of space, be here noticed with any particularity, it was hoped by many, might be allayed in consequence of the election of Silas Wright as Governor. There is every reason to believe that Mr. Wright assumed the office with an earnest disposition and intention to allay these dissensions. But he was unequal to the task. The fires of faction were kept alive, and were as fatal to him as they had been to Gov. Bouck. At this session, Mr. Seymour was elected Speaker, meeting with a strong opposition in caucus from the divisionists. He had declined the position in the last session, and was only induced to become a candidate at this, by the urgent solicitation of the friends of sound principles and the integrity of the party. It is sufficient to say, that he filled the chair with distinguished ability. Among the interesting events at this session, was the election of Mr. Dickinson to the Senate of the United States. In securing the nomination, Mr. Seymour took an active and influential part. The feeling in the caucus among a few members in opposition to the nomination, was very bitter. Mr. Seymour exerted himself to the utmost to allay it. The ballot stood, 54 for Mr. Dickinson to 17 scattering and 4 blanks. On a motion to make the nomination unanimous, one member opposed it. In reply, Mr. Seymour made a powerful and eloquent appeal to the minority. In his speech, which produced great effect, he appealed (in his own words) to them, "by the recollection of the recent common victory, by the determination which then actuated our whole party as one man, under the feeling that we were contending for common principles and in a common cause." Although a conspiracy was set on foot to defeat the nomination of the caucus, by a union of the recusants with the whigs, it was easily exploded and frustrated.

Mr. Seymour did the country and the state a great service in this strenuous and effective effort to place in the Senate that fearless and indomitable champion of sound democratic principles,—"the bold and eloquent exponent of the nation's will,"—who on the floor of that body, up-

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held so nobly the credit of his state, and achieved for himself such immortal honor.

At this session, the bill providing for a convention for the revision of the constitution of the state was adopted. This was, originally, a project of the whigs, who hoped, from the general overturn that such a measure would bring about, to effect the disorganization of the Democratic party. There was a general desire among the regular democracy to effect certain amendments of the Constitution, which, however, many wished to accomplish in the manner provided for by the Constitution itself. This was Mr. Seymour's view, and he advocated it on the floor of the house with ability and effect. The debate between him and John Young, the leader of the whigs, as well as of this movement for a convention, on the convention bill, attracted much attention, and was characterized by great eloquence and power on both sides. We cannot pretend to give a sketch of the line and scope of the argument, but the conclusion of Mr. Seymour's closing speech is so characteristic of the man, and the temper in which he approached important questions, that we present it here.

Mr. S. concluded by saying: "If a bill can be passed which shall be in accordance with the principles of our government—which shall recognise the doctrine that a majority of the people shall govern—that sovereignty resides with the people—which shall, in a fair, manly, and open manner, indicate the objects of those who contend for it, I shall be willing to give it my support. I have reflected on the subject with anxiety—feeling the importance of this measure to the well-being of our state. God knows I have endeavored to act on it solely with a view to the best interests and highest happiness of our common constituents. And to those who differ with me, I accord an equal degree of consideration—an equally honest desire to promote the interests of those who have intrusted us with power. And I will only express the hope, that in approaching this subject, all pride of opinion will be laid aside—all personal and political objects overlooked—and that we shall be actuated only by a wish to consult the best interests of the great and glorious state whose representatives we are."

With this session ended Mr. Seymour's legislative career. It has not been possible to notice any but the most prominent measures in which he took an active and leading part. For almost the whole period of his service in the legislature, the assembly comprised a far more than ordinary number of able and influential men, and from his first entrance into that body, he took rank among the foremost. It may be said that his personal influence was greater than that of any other member. The courtesy, liberality and generosity, marking his whole course as a member, contributed, in a great degree, to secure for him the position, which his skill and ability in debate, combined with his admitted sagacity and tact, fairly entitled him to. The upholders of the integrity of the Democratic party owe him a lasting debt of gratitude, for the steadiness and power which he brought to bear in the defence of sound principles of policy, and the time-honored landmarks of their political faith.

In adverting briefly to Mr. Seymour's course in the subsequent political movements in the state, a deserved tribute must be paid to the untiring zeal and devotion which he has evinced, in a continued endeavor to restore the Democratic party of the state to its proper and commanding position. With the termination of his legislative services, also ended the ascendency of the party in the legislative and executive departments of the government. Faction had done its work, and produced its inevitable

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consequences. The administration of Gov. Wright, from which so much had been hoped, was no more successful in combining the discordant elements into harmonious action, than that of Gov. Bouck. The divisionist, having control of the Canal Board, by a bitterly proscriptive policy in their appointments, together with the vindictive and violent course pursued by the presses in their interest throughout the state, produced such as pervading feeling of indignation and disgust among the masses of the party, that it was found to be impossible to rally their strength at the polls: and in the election of 1846, the Democratic party of New-York sustained a total and inglorious defeat. The adoption of the new constitution brought the election of the state officers, theretofore made by the legislature, to the people. This infused new spirit among the masses of the Democratic party, and a spontaneous and irresistible movement among them, in all parts of the state, demanded that "new men," uncontaminated with the feuds at Albany, should be nominated to the state offices. This movement met with a most desperate resistance from the incumbents and their adherents, who demanded a renomination. Their whole power was brought to bear in opposition to it, but the popular wave was not to be stayed. The friends of "new men" carried a decided majority of the delegates to the state convention of 1847, and "new men" were nominatted. Then it was, that that faction took its last and fatal step to destruction. Infuriated by their defeat, the divisionists threw their "firebrand of freedom"—the "Wilmot Proviso," which only a few hours before had been voted down in their own caucus, receiving only six votes in its favor—into the convention, to distract and divide it. It was laid on the table, and the minority made this a pretence, after the adjournment, to call another convention and set up an organization against the election of the ticket nominated. Of the regular convention, Mr. Seymour was a leading and distinguished member, and sustained with firmness and consistency the voice of the democratic masses.

This is as far as we can here trace the progress of this division and defection. The question of organization (which was really no question at all) went to the National Convention. To the view which we have given of its treatment there, nothing farther need be added than that it was the action, or inaction, of that body, on that question, that formally and effectually divided the party in New-York. It is unnecessary to dwell upon the disastrous result of the election of 1848. Since that memorable period, Mr. Seymour has been more prominent than, perhaps, any other man, in endeavoring to close the breach between the Old Line democrats and the seceders. Believing that the masses of the latter had not lost their attachment to the established principles of the party, and had been led astray under the influence of clamor and misrepresentation, he has been "instant in season and out of season," in his efforts to restore them to their former position on the national democratic platform. Many doubt the probability, some the possibility, of the success of this effort, as far as the leaders are concerned; but the laudability of the intention ought not to be questioned. A seeming approach has been made to the result, and it is to be hoped that the action of this fall's convention may contribute to its further advancement.

The effect of Mr. Seymour's course in all these movements, as far as he is personally concerned, could not perhaps be more clearly manifested than by his securing, last fall, a unanimous nomination from a convention com-

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posed of both sections, for Governor of the state. The breach of faith on the part of a few of those in whose behalf he had made such strenuous efforts, defeated him by a little over two hundred votes, the smallest number by which any candidate for that office had ever been beaten. He was supported, with great unanimity, by the masses of the Democratic party generally throughout the state; and, as he was opposed by the anti-renters and all other factions, his close run must be regarded as a striking evidence of his strength with the people. But, as we have said before, the democracy of the state have still their hopeful eye fixed steadily upon him, and are not likely to allow another opportunity of showing their attachment and regard to be lost.

Mr. Seymour has been again, and very recently, called prominently before the people, by the extraordinary circumstances attending the passage, by the whig majority in the last legislature, of a bill providing for the immediate enlargement of the Erie Canal, and directing an appropriation of the revenues of the state in direct contravention of the provisions of the constitution. His intimate knowledge of the whole subject, and the active and influential part he had taken in the legislature in carrying out the demands of the people, to check the reckless disposition to trifle with the financial credit of the state, and to burden it with debt, without providing definite and specific means for its payment, seemed to make it especially his duty, to raise his voice in resisting this shameless effort to override the provisions of a constitution so recently adopted by the people. Accordingly, during the late canvass for the election to supply the places of those senators who resigned for the questionable purpose of breaking up the legislature, Mr. Seymour eloquently and forcibly denounced before the people, in various portions of the state, the barefaced attempt to violate the sanctity of their constitution. The unprecedented and indefensible course which had been taken by the resigning senators, however, raised an extraneous issue which rendered his efforts and those of other able defenders of the guarantees of the constitution, in a great measure, nugatory, and would, indeed, have rendered the eloquence of an army of Ciceros of little avail in preventing the inevitable result which an ordinary sagacity would have enabled these legislative Solons to foresee.

The view which has been given in connection with this sketch, of the dissensions in the Democratic party of New-York, is necessarily very incomplete. The writer has found his limits entirely inadequate to do any thing like justice to the subject. As far as it goes, however, it presents the true aspect in which these divisions are to be regarded. The same cause has also made the sketch of Mr. Seymour's political course little else than a mere outline.

Although this sketch is styled a "political portrait," it may not be inappropriate to add a word in regard to the personal and social qualities of Mr. Seymour. The courtesy and liberality of his conduct in public life were not more distinctly marked, than are his urbanity and generosity in private intercourse. His "troops of friends" among all those with whom he is brought in contact, constitute a "cloud of witnesses" to bear testimony to his general kindness of heart, and the many acts of delicate courtesy and considerate benevolence which eminently characterize him as a citizen and as a man.

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FINANCIAL AND COMMERCIAL REVIEW.

THE money pressure, which we noticed in our last number, has continued to affect the markets in all the Atlantic cities in a greater or less degree; but gradually the resources which city merchants possessed in the obligations of country dealers, came to the discharge of their own liabilities, and the demand for money looked up. A considerable quantity of paper due from Western merchants was sent to the banks of several localities, and discounted at high rates. As generally they know those merchants who have not overstrained their credits, they have experienced no pressure. The grocers, as a class, seldom sell on long credits; while the dry goods men rival each other in the quantity of time on sales. The consequence has been, that the former had not been at all pushed for money, while many of the latter have gone down. There is but little doubt, however, that with the increase of bank credits, which have been so rife in the last year, and the natural desire to dispose of accumulating stocks of goods, the system of selling credits was gradually pushed to excess. That is, that the credits granted to jobbers to induce them to buy, were in turn extended to retailers. The health of the business is now rotting at its base.

The business man, looking back on the vicissitudes of the last fifteen years, naturally enough concludes that no merchant can be so blind to the terrors of experience as to again embark in the hazardous experiments of those years. The business man is, however, to reflect on this phenomenon of natural history, viz.: that more than 1,000,000 boys, who were at school in the years of disaster preceding 1840, are now just entering business, full of hope, destitute of personal experience, and with very little respect for that of others. The "go ahead" boys of 1835, who thought their predecessors "slow coaches," and "behind the age," are now dilapidated vehicles, and are succeeded by a fresh race no more inclined to respect their experience than were they that of their fathers. It is to be remarked, that with the commencement of this year, there was an unusual changing of firms, and an extraordinary increase in the number of younger partners. The abundance of capital and the stimulus given to general confidence, enabled a greater number to command the means of entering business; and probably of 24,000 boys fifteen years of age in this city, in 1840, a considerable number this year found the means of becoming New-York merchants. To all these the experience of 1830–40 is a dead letter. They know nothing of the disasters of those years, their causes or consequences, and care less. The future to them is bright, and the times are propitious; so much so as to modify the caution which the memory of former errors may yet suggest to older members of firms. These are elements which were likely to induce new firms as well as old to use all the means in their power for the extension of their business, and the dangerous instrument of credit was not likely to be neglected. Up to last spring the production of equivalents is proportioned to purchases for consumption; and as between producer and the shops, so also between districts and cities, the business is mostly cash, and therefore sound, but it was then gradually overstepping that limit.

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The young houses partake in an eminent degree of the extravagance of the age. Large houses up town, and a style of living at which the wealthiest merchants of a former age would stand aghast, are now supposed necessary to every man in business. Young men also, deluded with the absurd vanity "of doing a large business," and this motive, added to the wants of a fashionable style of living, continually urge them to extend their business, by being less cautious in credits, and this disposition was wantonly fed by the banking institutions. Let us turn to the statements of the banks of New-York throughout the spring business:

NEW-YORK BANK LOANS AND SPECIE.

	Discounts.	Loans to Directors.	Loans to Brokers.	Total.	Specie.
December 21, 1850	59,369,343	3,377,961	2,610,710	65,358,017	11,002,800
March 29, 1851	60,778,759	3,385,070	2,912,243	68,076,062	7,975,640
June 21, 1851	65,623,720	3,570,377	2,759,417	71,953,514	7,985,954

Thus, through the spring business, when young and old firms were making sales, the banks discounted everything with great freedom; and that facility of discount, as we have remarked, governed in very many cases the credits given to customers. The calculations of sellers were based upon it. In the three months the institutions, although their specie had fallen over $3,000,000, increased their loans $4,000,000. On the spring sales, thus encouraged upon credit by the banks, were based the orders for the fall season; and it was not until these began to arrive, that the institutions suddenly refused discounts. The expansive policy they pursued in the spring caused the goods to come here, and they then vigorously curtailed, destroying the sales for them. The export of specie is the pretext for curtailment; but the banks in March, when the course of expansion was *increased*, according to the figures, *held less* than they have at any time since, and export was then more active than now!

Not a few merchants who had entered the race of competition for business, by selling on less rigorous credits, because they had found a lessened hesitation on the part of the banks to convert those credits into money, are now quite disposed to curse the banks with their "whole heart" for utterly refusing that paper. They look at the city banks' returns, and they see loans, March 21 $61,778,759, and June 21, $65,623,720. Increase, 90 days, $3,844,961, or an increase of $42,700 per day paid out more than received. What right, say they, and not without reason, had the banks to go through the spring business with such a progressive expansion, and then suddenly cut it off when the fall-season goods had been ordered? The operation of the exchanges always causes a flow of specie outward from July to October. If the banks wished to check that, why did they operate upon the spring business? Instead of doing so, they, notwithstanding large exports of specie, continued to expand; thus promoting sales, and encouraging fall orders. After those orders had gone forward, they close down the gates, and spoil the sale of goods *after they arrive*. It is at once obvious to every soul that the great want at this moment, is correct returns of the present lines of discount. How much have they been reduced by six weeks' suffering? and how far have we yet to struggle through a restricted market?

The efforts of the houses to sell the paper, together with all the collateral

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elements of a reaction, which always accompany a tightened market, are operating favorably.

The payments from the country are good, and every effort is made by indebted merchants in the city to get in funds, and diminish their outstanding obligations; consequently each day's payments into bank is a step towards ease, and the stoppage of one or two desperate borrowers has checked the demand for money at high rates. The current is now running towards the city. In a time of confidence and of liberal bank loans, the merchants borrow in the city, and lend to the country. When the banks begin to curtail, the current stops, turns, and runs in the contrary direction. This is now the case, and money is being now called in from the country and paid into bank, and will continue to do so until money becomes very cheap. In relation to the ability of the country to pay, we will take the cotton crop, as the value is given in the reports of the Secretary of the Treasury for each year of the last four:

	Crop, bales.	Value per bale.	Aggregate value.
1848	2,347,634	$26¼	61,097,151
1849	2,728,596	29	79,139,284
1850	2,096,706	45¼	94,875,940
1851	2,355,257	50	117,762,850

The values are the average export values at all the ports; and it will be observed, that this year the planters have, for the same number of bales, received fifty-six *millions* more dollars than in 1848. Hence their ability to pay up. Wool, tobacco, sugar, all show similar results; and although flour is cheap, the quantity is immense, and transportation cheap. This, added to the great production of California gold, which is owned to a considerable extent throughout the interior, where persons left digging potatoes to dig gold, afford ample means for paying to the city; and from all these sources are now being drawn the means of returning plenty in the money market, to say nothing of the money drawn from Europe to invest here.

The larger proportion of credits which have been granted the country are sound; and although produce is cheap, the quantities that come forward are large.

The receipts of produce at New-Orleans for several years have been as follows:

VALUE OF PRODUCE RECEIVED AT NEW-ORLEANS FOR SEVERAL YEARS.

	1846.	1848.	1849.	1850.	1851.
Bagging	917,710	1,909,866	1,167,056	816,498	903,800
" rope	255,051	743,950	1,119,864	688,832	804,180
Cotton	37,716,256	38,200,345	30,844,314	41,886,150	48,756,764
Molasses	1,710,000	1,920,000	2,288,000	2,400,000	2,625,000
Sugar	10,265,750	9,600,000	8,800,000	12,396,150	12,628,180
Tobacco	4,144,562	3,420,544	3,938,290	6,206,820	7,860,050
All others	26,184,135	27,885,141	33,832,168	32,503,403	33,296,109
Total	77,193,464	79,779,151	81,989,692	96,897,873	106,924,083

The fact of these large receipts added to the large expenditure for rail-roads, and the absorption of specie in the country, are marked evidences of prosperity.

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This latter item is very remarkable, and is shown in the coinage of gold at the United States mints, as compared with the exports from New-York for twenty months:

REPORTS AND COINAGE OF UNITED STATES GOLD COINS.

		Exports.	Coinage.	Excess coinage.
Six months to June	1850	$246,202	$14,116,337	$13,870,135
" January	1851	214,293	17,259,108	17,044,815
" June	1851	10,618,068	22,867,803	12,239,735
Two months to September	1851	6,546,588	8,457,924	1,911,336
Total, twenty months		$17,655,151	$62,711,172	$45,066,021

Here is an addition of over $45,000,000 to the gold currency of the country. In addition to the gold exported, there has been sent abroad $7,363,059 of United States silver coins, which have no doubt been in a great degree displaced by gold dollars and paper; and there has also been exported about 13,000,000 of foreign coins, which have been supplied by immigration, a source which affords 25 per cent. as much as California. If we deduct the United States silver exported from the $45,000,000 of gold sent into circulation, there will remain $37,000,000 as the actual investment of the interior in a circulating medium, in addition to the vast sums invested in public works. That gold is a fund to draw upon, and must come to the city in the course of trade if it is wanted. It comes now to some extent from the South; but cotton bills and other produce bills will soon come more freely upon the market, not only in discharge of debts due the city, but as a means of remittance abroad.

The large exports of specie which have taken place to Europe grows out, first, of hoarding what has taken place throughout Europe to a great extent, as is always the case when political affairs are unsettled. Second, the decayed state of the East India trade, which usually supplies a large balance of coin to England, but this year has drawn thence considerable amounts. Both these causes have now ceased to operate to some extent, and specie is accumulating in the Bank of England. It has thus fluctuated considerably during the year, while it has continued to rise in the Bank of France. The highest and lowest points have been as follows:

SPECIE IN THE BANKS OF FRANCE AND ENGLAND.

		Bank of England.	France.	Total.
April	5	13,906,656	22,173,828	36,080,484
March	3	13,253,557	22,230,170	35,483,727
June	28	14,317,965	23,187,180	37,505,145
July	26	13,809,170	23,651,855	37,461,025
August	30	14,362,424	24,526,000	38,888,424
Sept.	11	14,290,391	24,803,968	39,094,359

The lowest amount in both institutions was in March, since when it has risen $3,400,000, say $16,450,000, and continues to rise with a lessened price for bullion, and a rate for money not higher than 3 per cent. regular discounts. The exchanges in New-York on England remain at about par, with the new bills against the new crops coming forward, under prospects of large sales, and imports of goods moderate.

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The United States cotton crop and its disposition for several years has been as follows:

UNITED STATES COTTON CROPS.

Crop.	1849.	1850.	1851.
New-Orleans	1,093,797	781,886	933,369
Alabama	518,706	350,952	451,748
Florida	200,186	181,344	181,204
Texas	38,827	31,263	45,820
Georgia	391,372	343,635	322,376
South Carolina	458,117	384,265	387,075
North Carolina	10,041	11,861	12,928
Virginia	17,550	11,500	19,940
Total crops	2,728,596	2,096,706	2,354,460
Export	2,227,844	1,590,155	1,988,710
Consumption	518,039	487,769	518,039
Stock	154,753	167,930	128,304

The New-York Shipping List has generally been the source whence the figures in relation to the crop have been derived. They are usually compiled from all the reports of cotton movements that are made in all the southern states, carefully registered throughout the year, and the results shown in a tabular form at its close. For more than a quarter of a century this service has been performed by the New-York Shipping List, and with a degree of accuracy which is praiseworthy. In all that period, however, *all* the cotton of the South came to the seaboard, and its arrival was chronicled by the local journals, whence the figures were derived by the Shipping List. That state of affairs has now changed, though the multiplication of factories, South and West, which derive their cotton directly from the plantations, and the amount they so consume, is not only a part of the annual crop, but the cloth made from it drives in some degree the northern article from the market. Now there are no data by which the quantity of cotton thus consumed can be estimated with any degree of accuracy equal to that which may be attained in relation to that which reaches the seaboard. The Shipping List attempts this estimate, but it must be taken as a mere guess. Now, to test the accuracy of this estimate, we may, pending the returns of the United States census of this year, give the number of factories and spindles according to the census of 1840, as compared with the estimates of the "List."

	Census, 1840. Spindles.	Shipping List, 1850. Spindles.	Shipping List, 1851. Spindles.
North-Carolina	47,934	--	--
South-Carolina	16,355	36,500	36,500
Georgia	42,589	51,150	51,400
Alabama	1,502	16,960	12,580
Tennessee	16,813	36,000	36,000
Ohio, Pittsburg, Wheeling, Indiana, Kentucky, Illinois, &c.	32,121	102,220	100,000
Total	157,314	242,830	236,480

It will be observed, that during the past year in which so great a number of spindles have been started South and West, a decline is estimated. In Alabama 4,400 spindles less are given, and the consumption of cotton for three years has been estimated as follows:

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	1849.	1850.	1851.
North-Carolina	20,000	20,000	13,000
South-Carolina	15,000	15,000	10,000
Georgia	20,500	27,000	13,000
Alabama	7,000	6,000	4,000
Tennessee	12,000	12,000	8,000
Ohio, &c.	35,000	27,500	12,000
Total bales	110,000	107,500	60,000

The estimate for 100,000 spindles on the Ohio is only 12,000 bales, which give a less production in 1850 than in 1840, and few persons believe that the cotton manufacture at the West has declined in the last ten years. On the other hand, the fact that the Eastern and Northern goods have not risen in proportion to the cost of the raw material, is conclusive proof that they have encountered increasing opposition from the cheaper made Southern and Western articles. The Shipping List states, as a reason for the low estimates, that the high price of the raw material has rendered the manufacture unprofitable. This would be a very good reason why the manufacture should diminish at the North as compared with the South; but it can scarcely be urged as a reason why the North, which is distant from both raw material and market for goods, should supplant the South. Under these circumstances it is evident that a stage in our affairs is reached where the annual cotton tables, as heretofore constructed, can no longer be depended on as a safe guide of the supply and consumption of cotton. The United States census may afford the basis on which correct data may be raised, but from the scandalous manner in which that work has been completed, no dependence can be placed upon it.

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MISCELLANEOUS.

CATHARINE HAYES.

PRECEDED by a brilliant European reputation, and recommended by the most flattering testimonials, Catharine Hayes arrived in this country on Sunday, September 14th, and on Tuesday evening, the 23d, gave her first public concert at Tripler Hall. Long before the hour announced, the spacious and elegant hall was filled to overflowing, and thousands left the doors unable to obtain admittance. The performances were opened with the grand overture to *Guillaume Tell*, by a large and efficient orchestra, after which Herr Mengis and Mr. A. Braham sang the *Quando di sangue tinto*, from Belisario, and Bertucca Maretzek played upon the harp the celebrated *Dance des fees*. The appearance of Miss Hayes upon the stage was the signal for the most vociferous applause; she was greeted with round after round of cheers, and almost lost in a shower of boquets. When quiet was somewhat restored, she sang the difficult "Ah! Mon File," from Meyerbeer's *Prophete;* at first a little tremulousness was visible, but her voice came out finely in the end, and she was rapturously encored. Her other songs during the evening were, Wallace's ballad, "Why Do I Weep for Thee," "Kathleen Mavourneen," and "*Ah! Non Giunge*," the grand rondo finale from La Sonnambula. We will not attempt an extended criticism, but rest content after giving a few remarks suggested by her singing. Her voice is a soprano, exquisitely modulated, full, sweet, and of great power and depth; it seems to sink upon the hearts of her auditors by touching the responsive chords which ever vibrate to soulful melody; and we cannot wonder at the enthusiasm which she has created. She sings without any apparent effort, executing the most difficult passages without those signs of laborious exertion which make us forget the music in our sympathy for the woman. We do not remember any artist who has succeeded in throwing so much of feeling into her performances as has Miss Hayes: concerted pieces do not afford the same scope for this as operas; and while we concede to Miss Hayes the supremacy as an English ballad singer, we have no doubt that her operatic triumphs would be equally great; indeed, judging from her *Ah! Non Giunge*, which was rendered with a thorough appreciation of the music, we may say she would shine still brighter. The reception gives earnest of the future, and Miss Hayes may depend upon achieving in this country a series of triumphs fully equal to those already gained in the old world. We have no monarchs to take her by the hand, to feast her in palaces, or load her with diamonds; but we have a sovereign people, warm in their attachments and earnest in their zeal, by whom she will be encouraged and applauded as an artist, respected and loved as a woman.

Herr Mengis and Mr. A. Braham acquitted themselves in a very creditable manner; but our extended remarks concerning them must be reserved to some other time.

ITALIAN OPERA, CASTLE GARDEN.

The opera season is over; Castle Garden is deserted, and it is generally understood that we are to have no opera during the winter. This will be a sad deprivation to the people who have lately acquired so great a love and taste for music. We cannot take leave of Maretzek and his excellent company, without a few remarks, and the

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Empresario himself demands the first notice; he has manifested the proper spirit, in casting aside the favor of the aristocratic few, who have heretofore resorted to Astor Place, and bringing his artistes before the only just tribunal—the people. He has triumphed over giant obstacles, and, if he has not reaped fortune, has maintained himself in a field where others have failed ingloriously; he has been liberal and open-handed, in engaging such performers as never before sang to American audiences; and, what deserves still more credit, has preserved order and good feeling among them, by such a distribution of parts as seemed best calculated to show their capacities to advantage. Bosio is fairly entitled to the first notice; she has won a high position in the hearts of our public, both by her superior artistic merit, and lady-like deportment; her voice is a soprano, clear, full and flexible, powerful without harshness, and deep without the least obscurity. Music seems a part of her being, and she wakes in her auditors the same spirit by which she herself is inspired. She has, during the season, appeared as Lucia, Lucrezia, Amina, Elvira, and Zerlina. Mme. Rose De Vries, a prima donna, new to this city, although she has only appeared in Norma, has given proof of the possession of high musical capabilities. Her voice wants softness in the medium notes, but in the higher and lower notes she stands alone. Her superiority lies in a thorough command over her voice; where others run wild, she preserves all the power and grace of the music. Her triumph in Norma commenced with the recitative preceding the Casta Diva, and only heightened as the finale approached. Signora Bertucca Maretzek pleases us better with her instrumental than her vocal music; while we acknowledge her Rosina in Il Barbieri di Seviglia to have been a spirited performance, we must express our partiality for the Nocturne Espagnol, so beautifully played upon the harp. Truffi-Benedetti has added no new laurels to her wreath; in fact, the only thing worthy of notice, has been Queen Elizabeth in Roberto Devereaux; her other performances have been listlessly and in many instances carelessly given. Her pure, soft voice, and pleasing appearance, might have been turned to better account, and we regret that one once so popular with our audiences, should have dwindled away into nothingness. Vietti, the contralto, has maintained her well-earned popularity. A grand trio is formed by Marini, Badiali, and Bettini; the former is, in our opinion, the greatest basso ever in this country; his voice has the remarkable quality of power and softness. Critics have assailed him as an actor; he has been called a buffoon because he made merry in Leporello; and accused of a want of taste, because he picked up a few boquets while Basio was singing in I'Puritani. The latter was, perhaps, a little out of the way, but we would gently suggest that his Leporello was a natural and life like performance, with no more buffoonery than the part demanded. His grand duet in Marino Faliero with Beneventano, and the *Suoni la tromba*, with Badiali, in I'Puritani, demanded the full volume of his powerful voice, and called forth immense plaudits. Badiali has likewise given great satisfaction; he has voice unusually rich and full, and a style both natural and effective; his Malatesta did not please us, but we were amply repaid by his Figaro and Sir Richard Forth. Bettini wants only cultivation to become one of the first tenors of the age; he has a great manly voice, and this constitutes his title to superiority over Salvi, who though deservedly a favorite, is evidently falling off; Salvi's manner is a mixture of threatening where he should be pathetic, and quietness where strength is required. Bettini wants some little in point of expression, but his errors are never glaring; the prison *aria* in Roberto, and *Spirito gentil* in Favorita, were great triumphs. We would speak at greater length of Beneventano, Lorini, Colletti, and others, did our limits allow; but, as it is, we can only conclude by saying that, to one and all we are indebted for many of our happiest hours during the past season, and that while we wish Maretzek all success in his southern tour, we trust he will soon return to enliven our city with performances, which in his absence will ever be remembered.

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BROADWAY THEATRE.

After an absence from the stage of more than two years, Mr. Forrest has re-appeared, and performed the round of his favorite characters. He has been received in the style to which he is entitled by his high merits as an actor. It must be highly flattering to Mr. Forrest, to find that the public sympathize with him in the domestic persecution to which he has been exposed. Miss Laura Anderson succeeded with equal eclat to this stage, after the conclusion of Mr. Forrest's engagement.

BROUGHAM'S LYCEUM.

The season commenced with but thin houses; but the manager having engaged Miss Cushman, the appearance of the house became somewhat improved. To Miss Cushman, the public voice has accorded the merit of being the first among American actresses but they do not follow up the commendation by their presence. "The great American tragic actor," at the Broadway, draws immense crowds, while the attendance on "the great American tragic actress" is very thin.

NIBLO'S.

The Ravels still perform at this house, but the great feature of the month has been the appearance of Madame Anne Thillon. The public was long expecting her, and on the occasion of her first appearance before an American audience, on the evening of the 18th ult., she was greeted by a full house, which had evidently compacted itself with a disposition to be pleased; and the enthusiasm in her reception, showed that they were prepared to be enthusiastic in the expression of their pleasure. She is very prepossessing in her face, figure and mien. Her eye has a sparkle, which must reach the heart. Her action is of that lively, *naive* character, which so specially marks the actress of the French comic school. Her voice is a fine soprano, of fair compass; perfectly educated, but not remarkable for its power. Her execution is the very perfection of the art. Everything she does is irreproachably neat and finished, and the whole effect is pleasing. She is undoubtedly destined to become exceedingly popular. She is assisted by Mr. Hudson, the Irish comedian and vocalist, and also by Miss M. Taylor.

NOTICES OF NEW BOOKS.

THE HISTORY OF THE UNITED STATES, from the adoption of the Federal Constitution to the end of the XVIth Congress. By Richard Hildreth; in three vols. Vol. second Jefferson and Adams. Harper & Brothers.

This is the second volume of the second series of Mr. Hildreth's work, and forms the fifth of the whole. The events are here brought down to 1807, closing with the "affair" of the Chesapeake. The work of Mr. Hildreth, taken as a whole, is a valuable chronological collection of the facts and events of our history from its earliest colonial state down to the XVIth Congress. But the writer being a warm political partisan, actively engaged in an aimless, disorganizing and mischievous onslaught upon the institutions of which he professes to be the historian, cannot be supposed to be endowed with a frame of mind necessary to the impartial historian. Consequently, the sickly hue of a jaundiced mind tinges all of which he treats. The volumes are valuable, however, as giving the peculiar views of that revived party, which, as shown by Mr. Adams, sought, in 1808, to sever the Union.

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English Literature of the 19th Century, on the plan of the author's "Compendium of English Literature," and supplementary to it, designed for colleges and advanced classes in schools, as well as for private reading. By Charles D. Cleveland. E. C. & J. Biddle, Philadelphia.

The "Compendium of Literature," so favorably known to the public, brought down the subject to the close of the 18th century, and the present volume continues it to nearly the present time with much ability.

Chambers's Papers for the People. J. W. Moore, Philadelphia.

This is a beautiful volume of 260 pages, being the first of a series of twelve volumes, designed to embrace the articles of an elevated character, upon history, archæology, the sciences, and elegant literature generally. He first opens with a paper upon "The Bonaparte Family," followed by "The Sepulchres of Etruria," and six others of much merit and interest.

Hand Books of Natural Philosophy and Astronomy. By Dionysius Lardner, D. C. L. Illustrated with 400 engravings. Blanchard & Lea.

This is a very excellent edition, revised by a gentleman eminent in the scientific world, of the well-known work of Dr. Lardner. It is well and accurately printed.

The Literature and Literary Men of Great Britain and Ireland. By Abraham Mills, A. M., author of Lectures on Belles Lettres. Harper & Brothers.

These two elegant volumes are divided into forty-six lectures, which divide the subject into as many eras. These have been in course of delivery and revision, for more than twenty years, and are now finally delivered from the press in a very complete state, as a work of literary reference. The two volumes are invaluable, giving, as they do, a sketch of the life of each remarkable writer, with able outlines of his style, and specimens of his writings. There can be no complete library without the work, which is in fact a critical library in itself.

The Book of the Farm; detailing the labors of the Farmer, Steward, Plowman, Hedger, Cattleman, Shepherd, Field-worker, and Dairy-maid. By Henry Stephens. With four hundred and fifty illustrations. To which are added explanatory notes, etc. By John S. Skinner, Editor of the Farmer's Library. Two vols. C. M. Saxton, Agricultural book publisher, 128 Fulton-street, New-York.

It has been justly said, that agriculture is the only industrial occupation that can be said to possess a literature of its own—a literature at once ancient, varied, extensive, and curious. In the Augustan era, the Romans could number upwards of fifty Greek authors who had contributed to illustrate the practice and science of agriculture; and we know, with much greater precision, how important a niche agriculture occupies in the existing library of ancient Rome. In more modern times, as the science of agriculture progressed under the influence of advancing civilization, and the direction of the sciences to its development, more particularly in England, where laws tended to enrich the land owners at the expense of the citizen, and therefore to place great capital at the service of the farmer, the intellectual position of the employment was developed, and from time to time, valuable works have been published. The catalogues of Mr. Saxton furnishes an admirable list; but none among them is more practically valuable than this new emission, edited and adapted as it is by the late John S. Skinner, editor of the "Plough, Loom, and Anvil." Heterodox as was that gentleman upon the subject of free trade, he did valuable service to the cause of agriculture. It is in two large

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volumes, contains over a thousand pages, most substantially and elegantly bound, fully illustrated, and completely indexed, and is a complete manual of every kind of information pertaining to the practical management of a farm. Its style is lucid, its arrangament excellent, its description full, and its directions precise. It is enriched with a great number of explanatory notes, remarks, &c., by the late John S. Skinner. We hazard nothing in endorsing the opinion of the Courier, that this book, if read and profited as it should be by its agricultural purchaser, will soon pay for itself in solid cash a hundred times over.

In our last number, we had occasion to review the same work under the title of the Farmer's Guide, as edited by Professor Norton, of Yale College, and published by Leonard Scott & Co. Both editions are elegantly and accurately illustrated.

Elements of Thought; or Concise Explanations of the Principal Terms in the several branches of Intellectual Philosophy. By Isaac Taylor. William Gowans.

This is the second American from the ninth London edition. As a book of reference for the use of those not fully conversant with intellectual philosophy, it is of great value. It is also a very concise yet complete summary of mental science, and particularly serviceable to persons of a literary turn.

Memoirs of the Life of Mary, Queen of Scots, with Anecdotes of the Court of Henry II., during her residence in France. By Miss Benger. 2 vols. A. Hart, late Carey & Hart.

This is a very full and able life of that unfortunate queen, who, perhaps, has elicited more of the public sympathy than any other crowned head. The subject has been ably handled by Miss Benger, who has supplied an account of that portion of the life of the queen spent in France, of which most writers have given but meagre accounts. The volumes are elegantly got up in a style uniform with the Lives of Anne Boleyn and Marie Antoinette, by the same authoress.

A Budget of Willow-Lane Stories, with illustrations. By Uncle Frank. Charles Scribner, 145 Nassau-street.

Mr. Woodworth is one of the most popular writers in America of juvenile literature, and the series of stories from his pen, as published and beautifully illustrated with wood-cuts of a high order, by Mr. Scribner, are a valuable and attractive addition to that branch of literature.

The Nile Boat; or, Glimpses of the Land of Egypt. By W. H. Bartlett, author of 40 Days in the Desert. Harper Brothers.

The number of works that have lately appeared upon the subject of Egypt has been large; but the interest which the public feel in that mysterious country, is by no means abated. On the other hand, it seems to be greatly enhanced. Until within about twenty years, all that was known about ancient Egypt was derived from Herodotus and Diodorus. The former went to Egypt 430 years B. C., and the latter 390 years later. The first mentioned person rambled through the country, and composed some notes to read as lectures at the Olympic games. Diodorus copied from Herodotus, and added some gossip of his own; and for 22 centuries these writings were text-books in relation to Egypt. Within the last twenty years the art of decyphering what the Egyptians wrote about themselves, has demonstrated the worthlessness of the old so-called histories. This newly opened source of information is daily yielding up its fruits, and

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feeding the interest which it awakens. And a work like that of Mr. Bartlett, got up in the splendid style in which it is offered to the public by the Messrs. Harpers, is an important addition to Egyptian lore. It contains 33 engravings, drawn on the spot with the Camera Lucida, and 17 wood-cuts. The paper and typography are unexceptionable.

CUBA IN 1851; A Survey of the Island, its Resources, Statistics, etc. From official documents in connection with the recent revolt. By Alexander Jones. Stringer & Townsend.

It is yet too early to write the history of the late expedition to Cuba, but Dr. Jones has compiled some interesting matter in relation to the condition of the island, and offered some judicious remarks upon recent occurrences. They are, however, involved in too much mystery for any one to attempt explaining at present. Some statements have been published by returned members of the expedition, but they have the air of "State's evidence" too palpably to be implicitly relied upon. Dr. Jones strongly espouses the cause of Cuban independence.

DRAYTON: A Story of American Life. Harper Brothers.

The multiplication of American novels is remarkable. The attention of our writers seems now more turned within us, and less to the follies and foibles of the old world. This is an excellent indication, and a marked feature in the progress of a national literature. In the case before us, American manners are treated with much skill and nicety.

A WREATH AROUND THE CROSS; Or, Scripture Truths Illustrated. By the Rev. A. Morton Brown. With a recommendatory preface by John Angel James. Gould & Lincoln, Boston.

This little volume breathes a sincere and devout spirit, a firm reliance upon gospel truths, and that clearness and force of exposition which always proceeds from a mind earnest in its work.

NEGRO MANIA: Being an examination of the falsely assumed equality of the various races of men, demonstrated by the investigations of Champollion, Wilkinson, Rosellini, Van Amringe, Gliddon, Young, etc., etc., etc. Together with a concluding chapter, presenting a comparative statement of the condition of the negroes in the West Indies, before and since emancipation. By John Campbell, author of A Theory of Equality, &c. Campbell & Power, Philadelphia.

The subject of the position of the negro race in the scale of humanity, is here ably treated by Mr. Campbell; not by what he has himself written, but by the mere arrangement of paragraphs from the great writers upon the subject. Passages are taken from Prichard, the leading "unityist," and from Van Amringe, the able expounder of the psychical distinction of the races. It is to be remarked, that the abolition excitement is producing this great good, viz., to attract the popular mind to the real value of the negro in the scale of humanity, and thereby to extinguish that absurd and false philanthropy which would sink the whites to the level of an incapable race, for the sake of establishing equality; like a boon companion who lays down in the gutter by the side of his friend, who is unable to rise. Such works as this of Mr. Campbell ought to be widely circulated.

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THE GIRLHOOD OF SHAKSPEARE'S HEROINES. By Mary C. Clarke. 18mo., pp. 70. New-York: G. P. Putnam.

This is certainly a commendable enterprise, and thus far it has been executed with much literary merit. Its aim is to present a complete sketch of the lives of Shakspeare's heroines drawn from the imagination, but still as consistent with the character of the original as it is possible for the writer to portray them.

The series has been exceedingly well received by the public, and has now reached its 7th and 8th numbers. The 7th is comprised of the tale of Katharine and Bianca, and is illustrated with a beautiful steel cut of the Town Hall of Padua; the story of Ophelia, with an engraving of Elsinore. The Royal Palace of Denmark comprises the 8th.

THE ILLUSTRATED AMERICAN NEWS. T. W. Strong, New-York.

We have watched the progress of this new weekly with some considerable anxiety, for we will confess that, at the outset, we did not think it destined to live long. We are now happy to believe that our fears were groundless; it comes to us with some new improvement upon every issue, and merits success more fully than any work of like nature heretofore attempted. The "Great State Fair" supplement was really a gem in its way.

THE METHODIST CHURCH PROPERTY CASE. Report of the Suit of Henry B. Bascom, and others, vs. George Lane, and others, heard before the Honorable Judges Nelson and Betts, in the Circuit Court of the United States for the Southern District of New-York, May 17—29, 1851. By R. Sutton, Special and Congressional Reporter. Lane & Scott, 200 Mulberry-street, New-York.

This extraordinary case, in which the whole issue between the northern and southern Methodist Church is passed in review by Messrs. Lord, Reverdy Johnson, and Johnson, Jr., on one side, and Rufus Choate, Geo. Wood, and E. L. Fancher on the other, is presented in full, and is reported with extraordinary ability by Robert Sutton, Esq., long and favorably known to the public as the reporter of the Senate proceedings in Washington, of the Kentucky and New-York State Constitutional Conventions, and many other important national bodies. It is a matter of congratulation to the Methodist Society, as well as to the public, that the services of that eminent reporter were obtained, in the vacation of Congress, to put this great case before the public in a proper shape. It is now presented to the public in a most complete form, with all the pleadings, embracing a full historical account of the Methodist Church, with all the official papers and references. It will be remembered, that Mr. Calhoun, in his great speech, described this schism in the Methodist Church as "one of the links" of union which had been broken through the violent workings of a perverse and antichristian spirit among those who profess only the mission of love among men. The division took place in 1844, when the Church was composed of 7 bishops, 4,828 preachers, 1,109,960 members, spread over the whole Union. These persons owned what is called the Book Concern, worth $750,000, of which the profits are mostly devoted to make up salaries of preachers in poor locations, and provide for the families of superannuated and deceased preachers. The northern members of this society sought to compel a southern bishop to resign his functions, because his wife in her own right had inherited some slaves, over which he had no control. The whole South and many at the North resisted this injustice. The whole conference, the North and South, by a large vote, decided that the South might organize a separate church, and take their share of the property. They did so: but when they came for the property, the North refused to give it up. The great number of poor Englishmen who had become preachers at the north, thought that they could put their philanthropy to profit by keeping at the north the whole of the money. The case turns on its possession. The thieving spirit of

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philanthropy which bred this schism for the sake of robbing the South, originated with the English immigrant Methodists, who are so numerous at the North, but not at the South. As we intend, however, to review the book more at length, we will here do no more than recommend it to the public.

HARPERS' MONTHLY MAGAZINE. New-York: Harper & Brothers.

Harpers' Magazine has proved, thus far, the most decided hit ever made by this publishing house. The proposition to issue monthly the choice contents of all the English literary periodicals took the public by surprise, and the low price at which could be obtained the fruit of the talents, the education, and the accomplishments of the best literary writers of the old country was too great a temptation to be resisted. It is now fifteen months since the publication was commenced. For mass of matter, tasteful letter-press, fine paper, and handsome and attractive appearance, the work is far before anything of the kind previously published. Its contents are taken from every bower, recess, temple, and, in one or two instances, stall of English periodical literature. The names of those whose thoughts and writings enrich its pages have long been familiar to the popular ear. Goldsmith, Thompson, Coleridge, Bulwer, Leigh Hunt, De Quincey, Howitt, Guizot, Elliott, and a host of choice spirits, have been its regular contributors. Such a galaxy was never before witnessed in a single constellation. The public have been satisfied, and voted their approbation by heaping some additional thousands on the subscription list every month.

ALBAN: A Tale of the New World. By the author of "Lady Alice." Geo. P. Putnam.

The first novel by the present author, viz., Lady Alice, received much censure in certain quarters, for some accurate delineation of manners which were supposed not decorous. The North American Review, very much in the spirit of that respectable lady who advised her blooming grand-daughter not to use the swing in the garden, because the potatoes have eyes, was horrified at the idea of the two sexes bathing together, as if bathing in "bloomers" was more indecorous than riding in petticoats. However, the author survived the attack, and is again before the public in a new work as pleasing and spirited as the other.

VAGAMUNDO; OR, THE ATTACHE IN SPAIN. Including a Brief Excursion into the Empire of Morocco. By John Esaias Warren. Charles Scribner, 145 Nassau-street.

The author of this little volume was attached to the embassy of Mr. Barringer to Spain, in 1849, and the work before us is a very agreeable account of what he saw and heard in the course of his movements. It is another book upon Spain, but it is an agreeable and amusing one. It is printed and published in the handsome and substantial style that characterize Mr. Scribner's books.

THE INDICATIONS OF THE CREATOR; or, the Natural Evidences of Final Cause. By George Taylor. Charles Scribner, 145 Nassau-street.

This work contains a very sound view of the natural sciences, drawn from the best authorities, and adduced as evidence of the existence of great and overruling intelligence. None can search into the mysteries of creation without being firmly impressed with the profound wisdom that pervades all nature; and a perusal of Mr. Taylor's book is admirably calculated to impress the mind and direct the understanding.

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ARTHUR CONWAY; Or, SCENES IN THE TROPICS. By Capt. E. H. Milman, late of H. R. 33d Regiment. Author of the Wayside Cross. Harper & Brothers.

This forms No. 159 of the library of select novels, and detracts nothing from the well acquired fame of the series.

THE CONFESSOR. An Historical Novel. Philadelphia: A. Hart.

A very spirited novel, founded upon circumstances which occurred during the troubled period of England's history—the reigns of the two Charles', and the intermediate time of the Commonwealth.

POSTHUMOUS POEMS OF WILLIAM MOTHERWELL. Ticknor, Reed & Fields, Boston.

For this collection of Motherwell's posthumous poems, we are indebted to Mr. William Kennedy, an old and tried friend of the poet. This volume contains the off-and-on scribblings of the poet, while his more elaborate works were published in two volumes, several years since. These poems are very uneven, varying from mediocrity to excellence, but the volume will take its place by the side of its predecessors, and in no wise do discredit to the genius of Motherwell, or the good taste of Mr. Kennedy.

DE QUINCEY'S WRITINGS. Literary Reminiscences, from the autobiography of an English Opium Eater. By Thomas De Quincey. Ticknor, Reed & Fields.

This admirable edition of the works of De Quincey has, by the publication of the ten volumes of Reminiscences, been extended in the uniform binding and beautifully substantial typography of Messrs. Ticknor, Reed & Fields. The singular and striking character of the "Confessions," written by one who had carried the habitual use of opium to 320 grains per day, has given a wide-spread notoriety to the writings of its author, and that fame has been well supported by the highly-finished scholarship which they exhibit. They are become exceedingly popular on this side of the Atlantic.

THE HISTORY OF THE RESTORATION OF MONARCHY IN FRANCE. By Alphonse De Lamartine, author of the "History of the Girondists." Harper Brothers.

M. Lamartine's histories partake altogether too much of the character of political pamphlets, written to promote the personal views of the writer in his tortuous political course, to obtain any standing *as histories*. There is, however, a wonderful charm about his writings that, despite the indescribable repulsions which its palpable hollow-hearted egotism excites, chains the attention of the reader. The first volume of the new work has made its appearance, from the press of the Messrs. Harpers.

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Very truly yours.
John E Wool

MAJ. GENERAL U.S. ARMY

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THE

UNITED STATES MAGAZINE,

AND

DEMOCRATIC REVIEW.

VOL. XXIX. NOVEMBER, 1851. NO. CLXI.

REPEAL OF THE BRITISH CORN LAWS.

Careful observers of "the signs of the times" in this country, see, that the conflict between the antagonistic doctrines of Protection and Free Trade, is gradually verging towards a final trial of strength. No doubt, many years will elapse before either will achieve a complete victory. In the mean time, the discussion of these rival theories of political economy will go on in Congress, through the public press, and before the forum of the masses. Inasmuch as the causes and effects of the repeal of the British Corn Laws will hereafter, for obvious reasons, as they have done heretofore, mingle in these discussions, we propose to give an outline-sketch of the movement which resulted in the abolition of that system. In the present article, we shall only incidentally allude to the origin, objects and consequences of that system; confining ourselves mainly to a notice of the measures which led to its final overthrow.

Governmental protection to the products of the soil, by means of imposts on importations from other countries, was the favorite policy of England from an early period. Lord Stanley, in a speech on the Corn Laws, stated, that the principle of landlord protection had been recognized in that country five centuries. Adam Smith was among the ablest, if not among the earliest British writers, who propounded the doctrine, that free trade was the highway to commercial prosperity. It has been questioned by some, whether this celebrated author advocated the universal application of the principle of absolute freedom of trade; but, we think, no student of his works can doubt, that the doctrines he advanced tend very directly to that conclusion in regard to all articles of commerce, and positively reach it in respect to breadstuffs.

From the days of Dr. Smith downward to our times, some of the most distinguished writers and statesmen of Great Britain have enrolled themselves among his disciples. In the front rank of these, we may place the brilliant men who, during the first thirty years of the present century, made the Edinburgh Review their literary organ of communication with the reading public, while Brougham, Romilly, Macintosh, and their associates, spread their sentiments before the industrial classes, through the discussions which so often arose in parliament, during the same period, on the subjects of commercial, manufacturing, and agricultural "distress."

In the year 1773, the plastic hand of Edmund Burke gave to the British Corn Laws the general character which, with occasional modifications, they retained till their abolition in 1846. They were altered, or, perhaps,

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we should say, revised, in 1791, in 1804, in 1815, and in 1828. The enactments of 1815 and 1828 embodied the system usually referred to, in our day, when we speak in general terms of "the Corn Laws." The object of all these enactments was, to afford to the agriculturists of the kingdom, as perfect a monopoly as possible in the raising and sale of breadstuffs, and still allow foreign grain and flour to be imported whenever a deficiency in the home production, arising from bad harvests or other causes, created a scarcity of that species of food. The system was adjusted on the basis of a sort of compromise between the profits of the producers, and the wants of the consumers; the repletion of the pockets of the former only ceasing when it would necessarily exhaust the stomachs of the latter.

The tendency of public sentiment in respect to the principles of protection and free trade, during the forty or fifty years following the enactment of Mr. Burke's law, is shown by the fact, that at each revision of the Corn Laws, from 1773 down to and including that of 1815, the duties were made more and more protective. As an illustration of our remark, we will state, that the price to which wheat must rise in the British market, ere it could be introduced from abroad at a nominal duty, was fixed, by the law of 1773, at 48 shillings per quarter, the quarter being eight bushels. In 1791, it was fixed at 54 shillings; in 1804, at 66 shillings; in 1815, at 80 shillings. This high point—and, it doubtless sometimes proved to be "the starvation point" to the squalid operatives of Manchester and Glasgow, and other manufacturing towns—this high point, coupled with the frequent seasons of "distress" in all branches of industry, and the energy with which liberal commercial doctrines began to be urged in parliament, ultimately produced a reaction in the current of public opinion. When the system was under revision in 1828, Mr. Huskisson exerted great sway over the politico-economical sentiment of the country. He entertained broad and comprehensive views respecting commercial freedom. It was partly through his influence, that the act of 1828 fixed the home price at which foreign wheat could be introduced into the country, on paying a nominal duty, at 73 shillings per quarter. Personally, he was in favor of setting a lower standard; and he declared that he should, thereafter, advocate a gradual reduction of the duties till they finally reached the free-trade level. But the landlord interest was then too strong to be made to yield a greater reduction from the maximum standard of 1815, than 7 shillings per quarter.

The act of 1828 had its "*sliding scale*" of duties, by operation of which, the duties on breadstuffs fell as the prices rose, and rose as the prices fell. It has some 25 degrees in its scale. We specify three or four as examples of the whole. For instance, when wheat commanded an average price throughout the kingdom of fifty-two shillings per quarter, the duty on the foreign article was thirty-four shillings and eight pence—practically a prohibition. When the price rose to sixty shillings, the duty fell to twenty-six shillings and eight pence—almost a prohibition. When the price mounted up to seventy shillings, the duty went down to ten shillings and eight pence—a point at which the importer could introduce the article and realize a small profit. When the price ascended to seventy-three shillings: or upwards, the duty sunk to one shilling.

The average price which regulated the duty, was determined as follows. On Saturday of each week, the prices of grains (wheat for example) were

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noted at one hundred and fifty of the chief towns of the united kingdom, and returned to the Exchequer at London. These varying prices were there averaged. To this average were added the averages of the five immediately preceding weeks, (obtained in the same manner,) and then the Exchequer struck "the general average" of the six weeks, and this, on each Thursday, was announced by the proper authorities as the standard price for regulating the duty on foreign wheat for the subsequent week.

This complicated and ever-shifting scheme, was regarded by its authors as an exquisitely perfect specimen of protective legislation. It was intended to afford a complete monopoly in breadstuffs to fifty thousand landlords, except at periods when high prices would doom the poorer class of consumers to starvation, unless supplies came in from other countries. As they approached the starvation point, the ports were to be kindly opened, a little ways, for the admission of foreign grain, when temporary relief might be obtained—provided, there were any grain in bond to be admitted—and provided further, that if there were, its sudden introduction did not so reduce the price as to cause the duty to slide upward to the prohibitory point—and provided still further, that the unnatural system had not already so impoverished the squalid, starving wretches, that they were unable to purchase bread at any price!

The law of 1828 remained in force, subject to some modifications made in 1842, until its abolition in 1846. The repealing act of 1846 was not, however, to go into full operation, till the year 1849. We will now hastily sketch the origin, progress, and triumph of the movement which resulted in the final prostration of this system.

The movement for the repeal of the Corn Laws commenced in 1838. About the beginning of the previous year, severe commercial depression pervaded the United Kingdom. It originated partly in the influence upon British trade produced by the monetary collapse occurring in America in 1836-7. The foreign exchanges turned against England, and heavy exportations of bullion were demanded. This compelled a great contraction of the usual accommodation extended to commercial men, and caused the failure, or temporary suspension, of many of the large English houses. These evils were aggravated by a deficiency in the harvest of that year. The country struggled against these calamities through 1837, and was slowly recovering from its depression in the spring and summer of 1838, when the bad harvest of that year plunged its monetary and commercial affairs into a still more disastrous condition.

Merchants, manufacturers, and shippers, declaimed much about the disarrangement of the currency and the illiberality of the bank of England, but scarcely dreamed of attributing any of their disasters to the disorganizing effects of an unnatural system of political economy, imposed upon the country under the delusive name of "protection." A few thinking men, however, charged the prime cause of these evils to the restrictive policy of the British tariff, and the prohibitory features and slippery sliding scale of the Corn Laws. Among the most sagacious and energetic of these, were Dr. Bowring, a distinguished disciple of Jeremy Bentham, and for some time the editor of the Westminster Review; Col. P. Thompson, a radical reformer, also a Benthamite, who, twelve years before, had published an able pamphlet, called "The Catechism of the Corn Laws;" and Richard Cobden, an enterprising calico manufacturer of Manchester.

At a small meeting, held at Manchester, in September, 1838, an Anti-

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Corn Law Association was formed. This was the germ whence sprung the mighty enterprise, which, after a severe and exciting contest of seven years, revolutionized the politico-economical theories and practices of the most intelligent and opinionated people in Europe; broke the power of the richest and most haughty landed aristocracy of modern times; converted to its doctrines and taught to do its bidding, the most prejudiced and omnipotent legislature in the world; and overthrew a system which, by the growth and culture of centuries, had entwined its roots around the interests of the monetary, trading, and agricultural classes, of the first commercial and manufacturing nation of the age.

Shortly after the formation of this association, a meeting of merchants and manufacturers of Manchester, voted a subscription of £3,000 to sustain its operations, which was subsequently increased to £6,000. In December following, the Manchester Chamber of Commerce sent a petition to parliament, praying for the total and immediate repeal of the corn and provision laws. In both these proceedings, Mr. Cobden bore a prominent part. Thus aided and encouraged, the association caused a meeting of deputies, or, as we should term it in this country, a convention of delegates, to assemble at Manchester, in January, 1839, to consider the question of Corn Law repeal, and adopt measures for the prosecution of the work. This meeting, after consultation, authorized the association to convene a similar assemblage in London, at the opening of the approaching session of parliament, for the purpose of watching and operating upon its proceedings.

The London meeting assembled in February, and was numerously attended, by influential persons, from various parts of the kingdom, mostly of the mercantile and manufacturing classes. They prepared a petition to the House of Commons, asking that they might offer evidence at its bar, in proof of the injurious effects of the Corn Laws. Their petition was presented, and the requisite motion made by Mr. Charles Pelham Villiers. His speech in its defence was treated with silent contempt, and his motion emphatically negatived. The deputies returned home, but re-assembled, in larger numbers, in the next month, parliament being still in session. They convened at Brown's Hotel, Palace-yard—a spot which became somewhat celebrated for the Anti-Corn Law measures which there originated. The protectionists nicknamed the meeting, "The Free Trade Parliament." During their sittings, they chose a committee to collect evidence on the subject of the Corn Laws, at whose head Dr. Bowring was placed, and deputed Mr. Villiers to open the battle in the House of Commons. He moved a resolution, "That this house will immediately resolve itself into a committee of the whole, to take into consideration the act regulating the importation of foreign corn." His logical speech, well stored with important facts, was not treated with even the decency of silent contempt. The scion of the ancient house of Villiers spoke under such a running accompaniment of coughings and scrapings, as "the first assembly of gentlemen in Europe" are only competent to tender to one whose opinions they dislike, or whose arguments they cannot answer. Hardly waiting for him to close, a division was called for amidst the wildest hootings and outcries, when 344 members against 197, rushed into the ante-rooms of the house, to stifle, by their clamor, a great national demand, made in behalf of sound principles and suffering humanity.

But the commons mistook the metal of the men with whom they were

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dealing. The Manchester Calico Printer, and his coadjutors, were not to be silenced by noise, nor diverted from their object by contempt. They determined to teach their rulers better manners and better doctrines. On motion of Mr. Cobden, the deputies organized an association, to be called "THE NATIONAL ANTI-CORN-LAW LEAGUE." The central council, or executive committee, of the body, was located at Manchester. The sagacious and indefatigable George Wilson was chosen its chairman. The League immediately prepared to enter upon a system of popular agitation throughout the country, through the medium of small pamphlets and public addresses. It established as its organ, an *Anti-Corn-Law Circular*, the first number of which appeared in April.

The gage of battle was now fairly thrown in the face of the protectionists. The issue was made up—Cheap Bread *versus* Land Monopoly. On the one-hand, were a small but resolute band of men, who had based their cause on solid principles of political economy. They had facts and logic, eloquence and humanity, on their side. They were sustained by a constancy which no discouragements could abate, and a courage which no opposition could daunt. On the other hand, were governmental power, hereditary station, boundless patronage, ancient precedent, and arrogant assumptions of superior wisdom and inherent right. The landlords boasted that they would crush the League in the bud. Nor was their boasting the mere effervescence of vanity. In 1773, when Burke introduced his Corn Law, the owners of the cultivated soil of England were computed at two hundred and forty thousand. The agricultural monopoly which prevailed from that time, had tended to produce a steady diminution of the number of landholders. When the League was organized, some thirty-five thousand persons owned the entire agricultural soil of England. They were united by the closest ties of interest; acted together on all matters affecting their cherished monopoly, almost as one man; and wielded immense patronage and power, both in church and state. Speaking of the time when the League was formed, an English writer says:—

"Protection had shot its roots into the soil. Capital had been invested; mortgages made; incumbrances created; settlements assigned; leases contracted—all on the faith of the unjust and exclusive possession of the home market. A strong self-interest was the foundation of protection; and that foundation had become *concrete*. The 'agricultural mind' sat in its arm-chair of statutable law; and the daughters of fraud and delusion, whose names are fallacy, clap-trap, and sentiment, waited upon the portly personage. When public opinion came into the presence of the 'agricultural mind,' fallacy stepped forward, and spoke of capital invested in the soil, of laborers employed, of great incomes spent, of money circulated, and of a home market, the loss of which would bring ruin to millions."

Behind such defences as these were the landlords entrenched, when the anti-monopolists entered into a "league" against them.

At the commencement of the movement, the discussions had sole reference to a repeal of the Corn Laws. The leading doctrines enforced by the repealers were, that, though the acts regulating the importation of foreign bread-stuffs might be, and probably were, beneficial to the large landholders, they were injurious in the long run to the great body of agriculturists; that the sliding scale of duties was the main source of the frequent and ruinous fluctuations in the market value of breadstuffs; that

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by preventing the natural influx of corn from other countries, to meet the varying home demand, the system enhanced the price of that article at all times, and therefore was a burden upon all classes of consumers, and especially the laboring poor; and that, by protecting the few at the expense of the many, it rested on an unsound basis of political economy, and was therefore hostile to the best interests of all branches of industry.

But, though the League aimed only at the abolition of the Corn Laws, the principles on which the controversy was conducted on both sides necessarily provoked a discussion and comparison of the relative merits of free commerce and restrictive duties, irrespective of the commodities to which these hostile systems were applied. The real issue, therefore, between the contending parties, and especially during the last three or four years of the struggle, was Free Trade *versus* Protection.

To return to the thread of our narrative. The League entered so vigorously upon the prosecution of its work, by sending out lecturers, and holding public meetings, and scattering tracts and publications in various parts of the country, that the close of the year 1839 saw upwards of one hundred auxiliary associations organized in the principal towns of the kingdom. In January of the following year, Manchester held the first of that series of large Free-Trade meetings, (for thus early did the assemblages of the League begin to assume this name,) which gave that town such prominence in the Corn Law agitation. At this meeting, besides the "feast of reason" dispensed to listening throngs by eloquent lips from the platform, the "flow of soul" was enjoyed at a well-stored board, spread under a vast canopy, where four thousand members and friends of the Association, gathered from the three kingdoms, regaled themselves. This festive scene was followed the next day by a public dinner, given by the League to 5,000 operatives of Manchester and the neighboring towns, who ate and drank confusion to the land monopolists.

Simultaneously with the opening of parliament in February, the Anti-Corn Law deputies met in London, at Brown's Hotel; and Mr. Villiers, who was now recognized as their leader in the House of Commons, renewed his motion of the previous session, supported it by an elaborate speech, and had the gratification of hearing himself replied to by one of her Majesty's ministers, and of provoking quite a little debate. Hopeful progress, this! The discussion closed without a division. The deputies adjourned to meet again in March. At the appointed time, Palace Yard swarmed with influential members of the trading and manufacturing classes, with here and there a country squire and member of parliament sprinkled among them. The persevering Villiers renewed his motion, aroused quite an animated and protracted discussion, and was beaten on the division by a vote of 300 to 177. After prosecuting the campaign with considerable vigor in the provincial towns, during the summer and autumn, the delegates held another important convention in November. These marchings and counter-marchings of the League, tended to supple its limbs preparatory to the severe struggles of the coming year.

Though Mr. Villiers had been twice beaten in the House of Commons, the year 1840 was not wholly barren of results in parliament. Mr. Joseph Hume made a report from a committee of the house, on import duties. It was characteristic of this industrious and sagacious reformer. It embodied much valuable information on the subject of trade and commerce, and furnished a magazine of facts, to be used by Anti-Corn Law

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writers and orators, who were less patient than he in gathering statistics from the dry wilderness of parliamentary documents and kindred sources. Rumor says, it was carefully studied by Sir Robert Peel, and was among the causes which produced the subsequent change in the mind of that eminent statesman on the subject of protective duties.

At the opening of the session of 1841, the Melbourne-Russell ministry gave signs of speedy dissolution. The impulse received by the whig party at the passage of the Reform Bill, nine years before, had spent its force. In the estimation of thousands of influential men, constituting the life and soul of whig liberalism, that party had proved false to its trust by faltering in the path of reform; while other thousands, who had imbibed the radical doctrines of the times in respect to religious liberty, electoral suffrage, and free trade, either occupied only a nominal place in its ranks, or had abandoned them altogether. On the question of the Corn Laws, Lord John Russell had, for some time, tried to find a middle position between the total repealers and the unyielding protectionists. Flirting first with one class, and then with the other, he had been discarded by both. Before dissolving parliament and appealing to the country, he endeavored to trace out a line of policy, which would be regarded as a fair compromise between the anti-monopolists and the landlords. He gave notice of a motion preliminary to the introduction of a bill, that should abolish the complex and unpopular sliding scale, and establish a fixed duty of eight shillings per quarter on imported wheat. This great concession to the principles of free trade, though falling far short of the test-doctrine of the League, indicated a favorable change of sentiment in an influential direction. Lord John delivered an able speech in defence of his measure, closed the doors of St. Stephen's, and went down to the constituencies on that issue.

An exciting campaign followed, such as the country had not seen since the general election which secured the passage of the Reform Bill. The League brought forward candidates in several localities, and the free traders entered warmly into the contest. A large majority of the nation was not ready to go as far as Russell proposed to lead them, and an inflexible minority was determined on going much farther, or not at all. Between this cross-firing of the protectionists and the repealers, Lord John and his friends were badly cut to pieces. Such gallant lieutenants as Morpeth and Howick fell in the conflict; while the livery of the metropolis were barely able to save the whig leader from a similar fate. The landlords swept most of the counties. The whigs carried many of the important towns. The free traders proper secured but few members.

At the opening of the new parliament, Lord John faced the house with a courage worthy of a Russell. He made a bold speech in support of the measure proposed by him on the eve of the dissolution, was beaten on a division, resigned the seals of office into the hands of Peel, and in an address to his immediate constituents, expressed the conviction, that, though the people of England had repudiated the principles of commercial legislation proposed by the whigs, yet they would discuss, hesitate, pause, deliberate over again, and finally adopt them.

The result of the elections of 1841 seemed a complete route of the free traders. The most sanguine of them could not then have dreamed, that, in less than four years, that very parliament would award them a perfect triumph, when Peel and Russell would vie with each other in bestowing

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the honors of the victory upon one whose voice, and hardly his name, had now never been heard within the walls of St. Stephen's.

Though the trained vassals of the landlords, in the agricultural counties, had sent to the house a large majority of the representatives of monopoly, the manufacturers and artisans of the little town of Stockport had given to free trade a champion in the person of Richard Cobden. Though Cobden was appreciated by commercial men, in and around Manchester, as an intelligent and enterprising manufacturer, and though his lucid speeches at several Anti-Corn Law meetings, during the past two years, had widened the circle of his influence, and shown that he had studied other subjects besides his immediate calling, yet, when he took his seat in parliament, he was almost unknown to the statesmen of the country, and wholly unrecognized as belonging to their "order." They had heard of him only as a calico-printer, who delivered lectures in the provincial towns, before manufacturers and operatives, on the blessings of "cheap bread." They never dreamed, and we doubt whether his most intimate friends were then aware, of the magazine of varied knowledge, intellectual strength, and practical eloquence, which lay concealed under his modest and unassuming exterior. The new arena in which he suddenly found himself, furnished foemen worthy of his steel; and his blade proved a match for those of his doughtiest antagonists.

Before passing to the stirring events of 1842, we must not omit to state, that during the severe and calamitous winter of 1841-2, the ladies of Manchester forwarded a memorial to the Queen, bearing upwards of 100,000 signatures, imploring her Majesty to instruct her ministers to bring in a bill for the relief of the suffering classes of the country. They gave still more substantial proofs of their zeal in the cause, by holding a free-trade bazaar in the Manchester theatre, from which was netted, for the use of the League, the coming year, the splendid sum of £10,000. Previous to the meeting of parliament, the dissenting ministers held a four days' convention, to consider the effects of the Corn Laws upon the well-being of society, and deputed a committee of their body to lay their views before the new premier. These events showed that the free trade spirit was permeating all classes of the community.

Heretofore, with the exception of an occasional skirmish in the commons, the battle had been mainly waged out of doors. At the opening of the session of 1842, it was transferred to parliament. Sir Robert Peel found himself at the helm of affairs at a period of unexampled distress. The manufacturing districts were in a frightful condition. The poorer classes had scarcely been able to subsist through the winter of 1841-2. Stockport was abandoned by many of its operatives, because of their inability to procure either work or bread. Hundreds in Paisley lived from week to week on charity. Bolton was fed by public bounty. Thousands in Manchester, Glasgow, Birmingham, Leeds, and other large manufacturing towns, were thrown out of employment, and wandered, idle and hungry, from the scanty fare of the provinces, till they crowded into the metropolis, hoping to find labor and food in the wealthy capital of the kingdom. The effect was, to swell the poor-rates of London beyond all former precedent. A royal "letter," from Buckingham Palace, exhorted those whom Providence had blessed with abundance, to aid in giving relief to the unfortunate. Contributions were gathered in the churches, private subscriptions were opened, and, though thousands were collected and

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speedily dispensed, they scarcely alleviated the pressing necessities of the hour. Such was the condition of the nation when parliament opened in 1842.

Of course, no reasonable man supposed all the causes of this appalling state of things originated in the Corn Laws. But the League was able to convince influential portions of the people, that a considerable share of these calamities were attributable to that source. The nation was impatient for a development of Peel's policy. On the 9th of February he indicated it, by proposing, at a future day, to modify the tariff by slightly reducing the duties on many articles, including breadstuffs and provisions, but leaving the sliding scale untouched. A crowd of agriculturists, representing the landlord interest, was in attendance upon parliament, and were greatly relieved at the ministerial *expose*. They felt that their monopoly was in safe hands. The only voice raised, on that occasion, in opposition to the measure, was Cobden's. In pungent tones, he denounced it as "an insult to a suffering country."

In March, the premier introduced his tariff bill. The measure occupied the attention of parliament through the greater part of the session. Compared with the existing tariff, the new act was a moderate concession to the principle of free trade. Indeed, Sir Robert more than once declared, during the debates, that he would not pledge himself to a perpetual maintenance of the sliding scale of duties, nor advocate the abstract doctrine of protection, nor urge it in any case for the mere purpose of shielding home productions against foreign competition. The discussions were exciting and protracted on all sides, and the amendments proposed by the free-traders numerous and important. Mr. Villiers made and supported his annual motion for total and immediate repeal. Though the leadership, on that side of the question, was, by courtesy, yielded to him, the brunt of the battle was sustained by Cobden. On Villier's motion, we think it was, he delivered a profound speech in defence of the proposition, that, as it was beyond the power of parliament to regulate the wages of labor, it was unjust to pass an act to regulate, with a view unnaturally to raise the price of food; and, in this way, indirectly regulate the wages of labor. Cobden won a high place in the estimation of the thinking portion of the house, was always treated with respect by the premier, and thenceforward was recognized throughout the country as the ablest of the opponents of the waning doctrine of protection.

Some portions, and, indeed, the general drift of the entire policy of the act of 1842, pointed to the prime axiom of the League, of "buying in the cheapest, and selling in the dearest market." This, with the occasional admissions of Peel and Gladstone, in favor of free trade theories, foreshadowed the events of 1846, alarmed the protectionists, and nearly led to a disruption of the tory party. Some of the landlord representatives in the commons declared that the agriculturists had been deceived in the premier; others openly denounced him as a deserter from their standard; while a few of the great landed dukes and earls, in the debates in the upper house, poured out objurgations, lamentations and warnings against the pending measure, uttering ghostly prophecies concerning the ruin they saw in store for their "order," if the son of the cotton-spinner was permitted to hold the key of the treasury. But the magic influence of Peel over his friends, and the conviction which penetrated the entire mass of the conservative party, that he alone was able to weather the radical storm,

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then beating on the old tory ship, postponed, for three or four years, any open mutiny amongst the ill-assorted band that followed his fortunes.

Probably the immediate effect of the tariff of 1842 was, to aggravate commercial embarrassments. Perhaps it would be more just to say, that that measure was the *occasion* rather than the *cause*, of these embarrassments. During the long period it was pending in parliament, and while the shape it would ultimately assume was doubtful, trade was almost at a stand still. Whether there would be a revival in the autumn, depended upon the character of the next harvest. For five successive years, the crops had been more or less deficient. The country, not yet recovered from the depressing calamities of the last winter, could hardly endure the occurrence of a sixth. The heavy and frequent rains of July, caused the national heart to droop with gloomy forebodings. In this crisis, Sir Robert Peel proposed to adjourn parliament. Mr. Cobden vehemently protested against an adjournment, till the quality and extent of the harvest should be ascertained; declaring, that it was betraying the trust of their constituents to close the doors of parliament during the existing nervous and unsettled state of public opinion, and leave the country to drift on to confusion without rudder or compass. The adjournment was carried.

Soon afterwards, serious disturbances broke out among the working classes of the midland counties. For weeks, those districts were tossed on a tempest of riots. They originated in an attempt of some imprudent Chartists to raise the wages of the operatives in the central manufacturing towns, by a general "strike." Probably nothing beyond this was at first contemplated. But demagogues fanned the flame of popular discontent, till it run wild in pillage, robbery and arson, nor stopped till several lives had been sacrificed. An unsuccessful effort was made to connect the League in some way with these disturbances. The suspicion was scouted by all iimpartial minds. The vengeance of the government, always eager to punsh those who plunder and kill contrary to established forms, was inflicted alike on those who aimed merely at a peaceful enforcement of their rights, and those who were for punishing their oppressors, regardless of means or onsequences.

From this brimming cup of national calamities, a kind Providence withheld "the added drop" of another deficient crop. The month of August cheered the country with a succession of clear skies and warm suns enabling the husbandmen to fill their granaries with the well-cured products of an abundant harvest.

But even this did not quite relieve the commercial pressure. In anticipation of a bad crop, the corn-factors had bonded large quantities of foreign breadstuffs, ready for entry when the sliding scale should produce high prices and low duties. But the rich harvest reduced the prices and elevated the duties. In order to meet their monetary engagements, the factors were compelled to enter their grain and sell it for what it would fetch. The consequence was, total ruin to some, serious embarrassments to others, and losses by all, carrying disorder and confusion into the money market.

But, though by a combination of peculiar circumstances, the tariff of 1842 did not essentially advance the cause of free trade, and though the advocates of protection took advantage of the continued commercial embarrassments to proclaim that free trade was a failure, yet, those very circumstances produced a very decided impression on reflecting minds, that the sliding scale was a prolific source of fluctuations in the prices of bread-

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stuffs, and ought to be abandoned. Some of the landlords were candid enough to admit this. The suddenness with which the large stores of foreign grain in bond were precipitated upon the market, materially reduced prices; and low prices and limited demand coming together, set agriculturists to seriously thinking whether there was not some inherent defect in their favorite system.

The conflict in parliament for the current year having been fought out, the League again turned its attention to the prime source of its power—popular agitation among the people. Near the close of 1842, it commenced holding meetings in Manchester—resolved to distribute information much more freely, during the coming season, especially among farmers and laborers—and, for this purpose, proposed to raise the princely sum of £50,000. At the request of influential gentlemen, in all parts of the kingdom, it deputed several of its ablest advocates to address meetings throughout the country. Col. Thompson, and Messrs. Cobden, Bright, and R. R. R. Moore, traversed England and Scotland, raising funds, and delivering speeches in elucidation and defence of the principles of the League. That association now commenced the erection of a great Free-Trade-Hall at Manchester, its assemblies having exhausted the accommodations of existing buildings. It was consecrated to the cause in January, 1843, on which occasion it was announced, amidst loud cheers, that £44,000 of the £50,000 had already been raised.

The year 1843 was productive of important events relating to free trade. The League adjourned its regular meetings from Manchester to London. Heretofore, it had confined its popular demonstrations to provincial towns. It now laid siege to the metropolis. Assembling at the Crown and Anchor tavern, till its large room overflowed, it resorted to Freemasons' Hall. That great building having proved too small to accommodate its meetings, the doors of Drury Lane Theatre were thrown open by Mr. Macready. The novelty of the idea of discussing such a subject in such a place, lent its attraction to the somewhat prosaic, but eminently practical character of the "performances." Not Londoners only, but thousands of the strangers who are constantly pulsated through the great commercial heart of the kingdom, nightly heard and applauded the truths uttered by the new actors in this old temple of the muses.

The parliamentary season was not wholly barren of good fruits. During the debates on questions incidentally connected with free-trade, Sir James Graham, a member of the cabinet, stated, that the soundness of the general principles of the Corn-Law repealers, was recognized by every man of common understanding. His colleague, Mr. Golbourn, said, that the abstract truth of their doctrines had never been disputed. Mr. Gladstone, also of the ministry, declared, that the practical application of their principles was only a question of time. Something, too, was done as well as said. Mr. Gladstone's act repealed the restrictions on the exportation of machinery, and Lord Stanley introduced a bill to regulate the trade in corn with the Canadas. Each of these measures looked furtively towards free-trade. During the pendency of an important debate on the sugar question, we think it was, Mr. Cobden delivered one of his ablest speeches on the relative value to England of her colonial and foreign trade. Scouting the idea that she ought to open her ports freely to colonial dependencies whose productions were scanty, while closing them against countries abounding in breadstuffs and provisions, he uttered the pregnant apothegm, "It is with peoples we should deal, and not with barren wastes." The League

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was greatly strengthened in parliament this year, by the return of the enthusiastic, eloquent quaker, John Bright, to the House of Commons. He came, heralded by the admission of a tory lord in the House of Peers, that he had recently delivered at Durham "the very best speech that ever was heard in favor of the repeal of the Corn Laws." Like Cobden, Bright was of the middle class, and was elected by the manufacturing interest. In all the subsequent parliamentary conflicts, he stood next to Cobden as the advocate of free-trade doctrines.

Thus far, the meetings of the repealers had been held chiefly in towns and cities. It was proposed by Mr. Cobden to invade the rural "districts." He and his associates, during the year 1843, held meetings among the agriculturists, the farmers and yeomen, in some thirty counties. All, and especially the friends of protection, were invited—the discussions were free—and the voting open to all. On the show of hands, the advocates of the League were triumphant in every meeting but one. This series of victories over the monopolists, in battles fought on their own ground, on their "own dunghills," produced a deep impression upon the "agricultural mind."

Near the close of the year, "*The League*" newspaper was established, as the organ of the association whose name it bore. Till the final triumph, its able editor, Mr. Paulton, weekly sent forth through its columns, those logical arguments and telling facts, which, reiterated and elaborated by hundreds of tongues from the platform, contributed essentially to the success of a movement in which he was one of the earliest actors.

On account of the hopeless aspect of things in parliament, arising partly from the return of commercial prosperity, (for governments rarely attempt to remove public evils and redress public wrongs, except under the pressure of some present calamity,) the League, at the commencement of the year 1844, determined, for the time, to abate its efforts in the legislature, and turn its chief attention to agitation outside its doors. In January, it resolved to raise £100,000, and print and distribute ten millions of tracts, for the promotion of its objects during the current year. A meeting convened in Free-Trade-Hall, Manchester, opened the campaign, and stimulated the zeal of the country, by subscribing £20,000.

But the contest was soon divided between the country and the legislature. In March, Mr. Cobden moved, in the commons, for a select committee to inquire into the effects of protective duties upon the interests of tenant farmers and farm laborers. This was a challenge to the landlords to defend a part of their citadel which they had deemed absolutely impregnable. In the preceding stages of the battle, when driven from all other posts, they had been wont to entrench themselves in the position, that the repeal of the Corn Laws would ruin the tenantry and the laborers—a large body of those middle and working classes for whose benefit the League professed to be contending. The facts elicited at the series of agricultural meetings, held by Mr. Cobden the year before, had convinced him that this cry of ruin to the tenantry and laborers was fallacious and delusive. He determined to expose and silence it on the floor of parliament. His speech on that occasion was one of the most profound and effective which the Corn Law discussions called forth. Knowing he was attacking the dernier retreating post of the protectionists, he selected his choicest weapons for the encounter. The speech was widely circulated, imparted a new aspect to the controversy, gave a fresh impulse to his followers, and left an enduring impress on the mind of the nation. The

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country gentlemen, who crowded to hear it, felt that they had been ignorant upon a subject with which they thought themselves familiar. They retired to ponder on the new truths propounded by their teacher.

This speech was far more potent in its immediate effects, and reached farther in its ultimate consequences, than the orator, or any of his hearers, with one eminent exception, then supposed. It sealed the fate of the Corn Laws. Sir Robert Peel afterwards frankly acknowledged, that that effort of the member for Stockport made so deep a lodgment in his mind, that he came to the conclusion that the total repeal of the Corn Laws was the only sound doctrine, and that their abolition was with him henceforward only a question of time and circumstances.

During this year, some concessions were made by the premier to the spirit of commercial reform, in the reduction of the duties on several articles largely consumed in the kingdom, such as glass, coffee, wool, &c. This, with the tone and tenor of the debates on Mr. Villiers' annual motion for total repeal, on the Ten Hour clause in the Factory bill, and on the sugar question, showed that the government was cautiously feeling its way, and imperceptibly drawing its supporters along the path pointed out by the League.

While these events were transpiring within the walls of parliament, "the pressure from without," always dreaded by conservatives, was month by month growing more steady and strong. As soon as vacancies occurred in the representation, the League rained down upon the constituencies a ceaseless shower of tracts and lectures, and a free trade candidate soon appeared in the field, either to gather the harvest alone, or dispute the ground inch by inch with an opponent.

At the opening of the session of 1845, Peel delighted the repealers, surprised the whigs, and alarmed the protectionists, by proposing a sweeping revision of the tariff. He abolished the duties on a vast number of articles, including cotton and glass, reduced the duty on the important commodity of sugar, and reformed the system in other essential particulars. The cases in which he either wholly repealed the duties, or greatly modified them, amounted to upwards of four hundred. Although he permitted the Corn Laws to remain inviolate through the session, it was evident, from the tone of his speeches, and the tendency of his measures, that their hour was approaching. The landlords were filled with apprehension. Before them were Lord John Russell and the fixed-duty whigs. Behind them were Richard Cobden and the no-duty League. On their right hand and on their left, were Peel and Gladstone, showing signs of leaving them to the tender mercies of the liberalism of Russell, or the radicalism of Cobden, or, worse than all, of doing the work of execution upon their followers with their own hands, before going over to the enemy! If any doubt had remained of the ultimate intentions of the premier, it was dissipated by his admissions during the debate on the usual motion of "the never-say-die Villiers," (as the *Times* called him,) for the total and immediate repeal of the Corn Laws.

The free-traders opened another regular attack upon the public sentiment of London, planting their batteries, this time, on the boards of Covent Garden. Here, Cobden, Wilson, Bright, Hume, Villiers, Milner, Gibson, W. J. Fox, George Thompson, R. R. R. Moore, and their associates, for several weeks filled that spacious theatre from base to dome, with audiences, more intelligent and enthusiastic, than could be gathered by the artistic devotees of the tragic or the comic muse. Sprinkled here

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and there among the occupants of the stage, might be seen the wearer of a star or a ribbon, indicating that some of the nobility and gentry would not be the last to join a winning cause. Nor should the ladies be forgotten. For twenty-one days, they held a magnificent free-trade bazaar, in the theatre, which was thronged with wealth and fashion, and contributed some £15,000, to the treasury of the League.

A cold, wet autumn followed the promising summer of this year. The English harvest was deficient in quantity and defective in quality. The potato-rot spread dismay and starvation through Ireland. Long-standing rumors of divisions and bickerings in the cabinet, at length ripened into the certainty of an open rupture and a ministerial crisis. Intelligent men saw that Peel's government could not survive another year. The League, ever apt at seizing the right time for doing the right thing, began to prepare for a general election. The work of registering all voters friendly to free-trade was vigorously entered upon.

The close of the year 1845, and the opening of the year 1846, found the League bending its energies to the kindred measures of raising a fund of £250,000, and registering 100,000 new voters, for the approaching election.

The events of 1846, so far as they relate to the subject we have been considering, are too familiar to need recapitulation here. In June of that year, after long and stormy debates, Sir Robert Peel, in conjunction with the Duke of Wellington, the most unbending and determined of men, and without whose aid the measure must have failed in the House of Peers, carried through parliament a total repeal of the Corn Laws. On an evening near the close of that month, surrounded by a dense mass of the intellectual and moral *elite* of the united kingdom, crowding not the House of Commons only, but every lobby and all its passages, Sir Robert, before resigning the premiership, delivered an elaborate speech in vindication of the policy pursued while he had administered the affairs of the government. Never were the robes of office laid down with more dignity and grace. We cannot forbear quoting the closing passage of the report of this speech. Alluding to the measures of commercial reform, which terminated in the repeal of the Corn Laws, he said :—

"I have already stated, that in proposing those measures, I had no wish to rob others of the credit justly due to them. I must now say, with reference to honorable gentlemen opposite, as I say with reference to my own friends—neither of us is the party which is justly entitled to the credit of them. There has been a combination of parties, and that combination, and the influence of government, have led to their ultimate success; but the name which ought to be associated with the success of those measures, is not the name of the noble lord opposite, (Russell,) nor is it mine. (Cheers.) The name that ought to be, and will be, associated with the success of those measures, is the name of a man, who, acting, I believe, from pure and disinterested motives, has, with untiring energy, by appeals to reason, (loud cheers,) enforced their necessity with an eloquence the more to be admired because it was unaffected and unadorned, (cheers;) the name that ought to be associated with the triumph of those measures, is the name of Richard Cobden. (Loud and protracted cheering.) Sir, I now close the address which it has been my duty to make to the house, thanking them sincerely for the favor with which they have listened to me, in performing this last act of my official power. Within a few hours, that power which I have held for the period of five years, will be surrendered into the hands of another, without repining—I can say, without complaint—with a more lively recollection of the support and confidence I have received, than of the opposition and distrust I have, during a recent period, en-

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countered. (Cheers.) I shall leave office, I fear, with a name severely censured by many honorable gentlemen, who, on public principle, deeply regret the severance of party ties—who deeply regret that severance, not from any personal motives, but because they believe the existence and maintenance of a great party, and fidelity to the obligations which such an organization implies, constitute a powerful instrument, a necessary agency, of government. I shall surrender power severely censured, I fear also, by many honorable gentlemen, who, from no interested motives, have adhered to the principle of protection, as important to the welfare and prosperity of the country. I shall leave a name execrated by every monopolist, (loud cheering from the opposition,) who, from less honorable motives, maintains protection for his own individual benefit. (Continued cheering.) But, it may be, that I shall leave a name sometimes remembered with expressions of good will, in those places which are the abodes of men whose lot it is to labor, and to earn their daily bread by the sweat of their brow—a name remembered with expressions of good will, when they shall recreate their exhausted strength with abundant and untaxed food, the sweeter because it is no longer leavened by a sense of injustice. (Loud and long-continued cheering)."

The struggle being over, the League resolved upon its own dissolution. The repealing act received the royal assent on the second day of July, 1846. On that day, the League held its final meeting, in the town hall, at Manchester. George Wilson, who had presided over its councils from the beginning, and who, as appeared from the official records, had, during the seven years of its existence, attended its meetings thirteen hundred and sixty-one times, without receiving a farthing for his services, was most appropriately called to the chair on the present occasion. A large number of those who had participated in the conflicts of this well-fought struggle, including several members of parliament, were present from all parts of the country. After giving an interesting sketch of the progress of the great movement, from its feeble commencement to its glorious consummation, the chairman presented Mr. Cobden to the assemblage. As he came forward to address them, the body rose *en masse*, and welcomed him with the most rapturous plaudits, standing and cheering for several minutes. His speech was like himself, straight-forward, practical and hearty. He poured out his full soul in warm eulogies upon his co-workers in the long, doubtful, arduous contest, bestowed generous praise upon Sir Robert Peel and Lord John Russell, for their efficient aid in the crisis of the final struggle, and modestly declared, that far too much honor had been awarded to him for the part he had borne in the common cause. He closed by moving, that the objects of the National Anti-Corn Law League having been attained, its operations be now suspended, and the executive council be requested to wind up its affairs with as little delay as possible. The following morning, a letter appeared in the newspapers, addressed by Mr. Cobden to the electors of Stockport. He warmly thanked them for the confidence and kindness with which they had honored him while acting as their representative, and announced that the state of his health and the condition of his private affairs, induced him to seek a temporary withdrawal from public life.

The retirement of Cobden was only paralleled in dignity and grace, by that of Peel.

Having done what we proposed, by giving this outline-sketch of the Anti-Corn Law movement, we may, in a future number, allude to the lessons taught by the manner in which it was carried forward, and notice more particularly some of the persons who bore a prominent part in it.

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PARISIAN SALOONS.*

THAT the empire of saloons in France has passed away, or that it belongs exclusively to another age, is an idea which originated with and clings to the debris of the old nobility, and it is propagated by that large class who pass through society on the outskirts of respectability; who are not, and who can never be, admitted where refinement of manners and intellectual tastes are the only attractions. If there is no longer a saloon De Stael, it is not because there are no longer admirable and talented women to preside, but rather because Parisian society is more affluent in those who possess all the excellences, with less of the vices, which were, in a former age, the attraction to saloons, which were the focus of debauchery, play, and political intrigue. The decayed aristocracy and the ill-bred parvenue unite in deploring the extinguishment of "good society," with the downfall of absolute monarchy in 1789. Of the urbanity, the elegance, the French spirit, say they, which then existed, nothing now remains; absolutely nothing. And as it is easy to write about a state of society which no longer exists, they become ecstatic upon the 18th century—that era of gunpowder and great generals, of embroidered drawing-room heroes, who gracefully cheated at play. They are enthusiastic in favor of those charming and virtuous women, whose favors were the reward of the lover who survived the duel. These ferocious regrettors of past elegances exclaim, somewhat in the style of Burke: "The age of good manners is gone; the traditions of good taste are lost; the ladies have ceased to be amiable; the men are accomplished only in smoking." That odious cigar alone inflames their indignation. In those former times, that it is agreed to call the times of good company, they smoked little, but they snuffed much. At present they do both. In this only is the difference. Without doubt, society has lost a little of that frivolous and aristocratic varnish which distinguished it sixty years since; and, possibly, the saloons, opened each evening, are less numerous; but if so, it is owing to a complete change in the manners and customs, and more particularly to the discontinuance of late suppers, which were the family repast with some, and a luxurious fête with others, but everywhere prevalent. They afforded a pretext for assembling. The evening meal was the great affair of the day; the principal expense of the family. The theatres then were not counted by dozens. People knew not how to employ the evening; and after the play, which commenced and finished at an early hour, they went to supper with the contractor-general, or the noble who kept open house. Now the play terminates only at midnight, and suppers bear a seal of reprobation, which renders them more rare. Supper takes place now only by chance, after a ball or fête. It is become a great derangement to the family; nearly an accident. As for those who sup at cafés, they are regarded as cast-away debauchees; not worthy to live, because they desire to eat

* Celebrated Saloons: By Madame Gay; and Parisian Letters: By Madame Girardin. Crosby & Nichols.

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when others desire to sleep. Whoever aspires to the reputation of an orderly liver, to public employment, or to matrimony, ought only to sup secretly by himself, *tete-a-tete*, with a single dish, the doors fastened and the windows closed. The well-known prefect, Romieu, was the last of the supper-givers, after the days of July. He did not eat, and he only pretended to drink, yet he was possessed of a singular vanity to be considered rather a cormorant than a man; to be endowed with a gulf rather than with a stomach; and he continued regularly the suppers of the age of Louis XV. He had, also, his Dubarry, who flattered and cheated him. One fine morning, however, this virtuous prefect fell into disgrace. He had supped too long. The custom had changed.

The saloons had then lost a powerful attraction; but, at the same time, they were not less elegant; nor had they deteriorated in mind or refinement. Since the successive revolutions have removed all line of demarcation between castes and ranks, society is no longer composed only of grand seignors, whose only accomplishments are an agreeable smile, and a conversation eloquent upon ribbons, lace and perfumes. Beside this debris, less frivolous and more instructed, of ancient aristocracy, are now to be found men, unknown yesterday, but celebrated to-day; men of obscure birth, but of brilliant genius. And these literary and political geniuses disdain the pompous customs of former times.

It is also the mode to sneer at the bankers of the present day for their presumption, their love of money, and their insolence; as if the farmers' general, the Mondons and Turcarets of a past age, were models of urbanity, intellect and disinterestedness. Society has not degenerated, it has changed. The men have become more serious, the women less frivolous; and fifty saloons could be cited, where mind prevails over fashion.

It cannot be charged upon Parisian society as a crime, because foreigners, enriched, no one knows where or how, exercise the privilege of drawing crowds around them. Time does justice to the successful grocers, cutlers and ticket-venders, who flutter in Paris. After they have reigned a winter or two, at most, they disappear, ridiculed, abused, and nearly ruined. They afford, however, amusement while they last. It is so amusing to visit a person simply rich, an awkward, ill-bred broker, for instance, from New-York, who, having acquired wealth, disdains his countrymen and apes the manners of a foreign court. Such a one is visited without restraint. They carry whom they please. They order, command, and even break, at pleasure. They laugh at the amphitryon, whom they pass without saluting, and who is not permitted to invite a relation or a friend. The visit is a sort of escapade of good society, a passing error; and they consider themselves in a conquered country. They behave as in a model restaurant, where the host places at their disposal his cellar, his larder, his kitchen, and his domestics; and who, after they have eaten and drank, has the good taste to avoid presenting his bill. But this, although akin to New-York, is not Parisian society, a thing more easily felt than described. It is a union of good manners and good taste, a mixture of benevolence, of dignity, of intellect, and of familiarity: a bouquet of frivolous and solid qualities, with many attributes that defy analysis.

Without possessing millions, it is possible to have a saloon and of the best. Extreme wealth is not a drawback, but it is not indispensable. There are many saloons where, like that of the Duchess d'Elchingen, the attraction

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exists neither in the rich tables, nor the fauteuils, that cradle you softly in their downy arms; nor, perhaps, even in the more attractive favors of the cards; because they do not play, nor even dance; but they assemble to refresh the ideas and vivify the thoughts, in conversations full of life, of mind, and of heart. When the hour of retiring strikes, the too devoted friends, who would wish always to remain, withdraw reluctantly. The mistress of the house is reflected in her saloon; and, in the place of the present charming head, if a lady, without mind or heart, were installed, the charm would disappear, although the wealth should be quadrupled.

In a hotel of the Rue d'Astorg is to be found the most aristocratic saloon of Paris. There antique elegance is allied to all that modern luxury has invented for comfort: lackeys in livery, footmen for the anteroom, ushers for the reception-rooms, introduce and respectfully announce the visitors. In those apartments, decorated and furnished in the style of Louis XV., one is surrounded with an atmosphere of grandeur. Amidst those glorious family portraits, one finds himself in a familiar circle. It would be possible, from their biographies, almost to make a continued history of France. Here, with distinguished grace, Madame de Noailles nightly receives the old nobility of France, with strangers of birth and distinction.

In the faubourg St. Germain, Madame de Scherville is "at home" thrice in the week: once in the morning, and once in the evening. In the morning the ladies appear in promenade dress, and the men in fancy cravats. In the evening, laces, silks, velvets, coquetish bonnets as well as low necks, are displayed, but not exacted. The hostess, who presides with as much grace as indulgence, would close the eyes on the irregularities of a toilet a little too familiar, even if they presented themselves, which is, however, never the case. It is still a saloon where all are amused, although the number is never large. Sometimes they perform a comedy impromptu, as brilliant and gay as in the best days of Scribé. But with or without comedy, the saloon in question is an agreeable exception in fine society.

A visit to the hotel of Madame de Vatry is a delicious enjoyment. Elegance has invented nothing more complete. Everywhere the rarest flowers and objects of art are flooded with light. Her wealth creates friends, and her charity, a rare virtue with the rich, is profuse. Notwithstanding, she is a prey to ennui.

The saloon of Madame de Bihague would be one of the most attractive and elegant, if it were not for the over-anxiety of the hostess to draw around her the marquises and counts of the faubourg St. Germain. Contrary, however, to their custom, the counts and marquises, in this instance, turned a deaf ear to the invitations, and perseveringly resisted the balls, concerts and suppers, given in their honor. They consider her too willing. If the fair hostess would but content herself with her natural friends, who are worth all the others, particularly the wealthy city dames, who are worth more than the others, by, at least, the cost of the diamonds which they display profusely in the hair, the ears, on the arms, the hands, and the breast; some of them, even, resembling a traveling casket, or a jewel peddler,—there would be nothing to desire. However, there are people worth seeing, and who are very agreeable; nevertheless, the taste of the hostess requires old names to adorn her saloon, and, in her despair, as a last resort, she has installed card-tables, which spread her

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renown, and the aristocracy have already shown signs of surrendering to play what they refused to all other seductions.

There is, on the contrary, the aristocratic saloon of the Baroness d'Elmer. It is brilliant, legitimist, and very recherché; but, for all that, not very recreative. At first, the very exclusive manners of the mistress gave some offence. She received nobody before ten o'clock, and then caused herself to be served with tea without offering any to her guests. These inconsiderate eccentricities have been, however, otherwise largely compensated. People are now accustomed to them, and these things are easily arranged; the question is only to be understood.

Among political saloons, that of M. Thiers is distinguished from those of Count Mole and M. Pasquier, in that the ex-minister is neither descended from Mathieu Mole nor Etienne Pasquier, but is descended from himself. Talent does not measure itself either by the lustre or the antiquity of one's grandfather. To talent and youth M. Thiers adds the advantage of opening his saloon every evening, while those of Mole and Pasquier are opened only once in a week. What an immense advantage it is for a statesman to have a saloon or club, where each day and each evening the friends and co-operators meet to concert and prepare decisive manœuvres for the next day! The war of places, equally with the contentions of the battle-field, admits not of delay; and a whole week in the strife for power is an eternity. An active, enterprising, ambitious statesman, who has a week before him, can upset the world, if the ministry is the price of his trouble. Many an up-town house in New-York has lately been built in this view by wealthy tradesmen turned politicians. M. Thiers unites all the necessary qualities of a party-chief—love of power, eloquence, and a daily saloon. The latter alone may suffice to make a political man. M. Fulchiron, the prince of good-fellows, was certainly not born to become an important personage, a cabinet maker; but he had a saloon, and more than one tottering minister has owed his stability to the saloon of M. Fulchiron. However, M. Thiers for many years was out of power, not withstanding his saloon. But there is a mystery about that which Louis Napoleon may one day unveil. Thanks to the presence of Madame Dorne, Madame Thiers, and some intimate friends of high rank, the saloon of the ex-minister holds a lofty and elegant position, notwithstanding that the sister of M. Thiers keeps an eating-house, where an excellent dinner may be had for one franc. At the saloon, visitors are introduced, announced, and served by richly liveried servants. They walk on thick carpets, and repose on soft fauteuils. The eyes rest on handsome faces and rich toilets; but the penance is to listen to the dull but exhaustless babble of certain gossips, who, not being able or not daring to appear at the tribune of the chambers, take their revenge, and compensate themselves in the saloon. M. Thiers himself speaks too well and too fluently to allow to others a monopoly of speech; and when he speaks not, he sleeps; and then each feels bound to respect the repose of the great orator and master of the house.

The saloon of M. Sauset, the old president of the Chambers, was an exception among the political saloons. Here no opinion was expressed, but all opinions were collected: as the Chambers were generous, they gave their president $100,000 per annum, and the president in his turn gave the deputies some glasses of sugared water every week, and a ball every year. At these balls they danced, but did not polka, and it is not so certain that they waltzed. The balls of the president were consecrated to

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the amusement of the wives and daughters of the deputies, and provincial mothers have never liked the waltz.

Since some years, Madam Girardin has deserted the Rue Lafitte for the Champs Elysees. When one dwells so far from Paris, no little self-confidence is necessary to undertake to receive one's friends every evening. But Madame Girardin, go where she will, draws the crowd after her. A poetical dreamer, careless and restless, Madame Girardin obeys only the impressions of the moment. To-day, full of charming gayety and sparkling wit, she may, to-morrow, be plunged in the deepest melancholy, and be a prey to grief. In her conversation she will pass rapidly from a high political question to a touching story, expressed in words and with inflexions of the voice, which go directly to the hearts of her listeners. Yesterday she will have loved solitude, and have sought to isolate herself from the world, to enshrine herself with her ideas, her retrospections, her illusions and disallusions; to-morrow she will be in love with the world, its society, its fetes, and its joys, only again to revive her desire for solitude. When her friend, Armand Carrel, was dying of the wound inflicted by her husband, in that celebrated duel, she flew to the hotel, and exhausted herself in clamorous sorrow over the body, until her husband reminded her of the scandal of such a proceeding. That mobility of mind, however, affects neither her personal friendships nor her love of literature. She changes her impressions, but never her friends. To them she readily sacrifices her gayeties without pretext, and her sorrows without motive. She possesses in the highest degree the art of conversation. She is equal to Miry, the most brilliant story-teller, the most enchanting romancer of Paris, but who exceeds Madame Girardin neither in mind nor in imagination. Even the absent-minded Gautier is subdued by her spell, and becomes conversational under its influence; and these, with Lamartine and Victor Hugo, complete an admirable quartette, possessing the sympathies of Madame Girardin. Sometimes these literary family soirees or poetical conversations change to a great play, and the crowd collects to hear that piquant satire, the "*School of the Journalists*, or that magnificent poem, *Judith*, in three acts, or that ancient play, Cleopatra, destined to develop the talents of Mademoiselle Rachel.

The saloon of Madame de Courbonne has a less defined character. It is in a high degree literary, because Victor Hugo is there, but in a far less degree with M. Jasmin present. It is political with the presence of M. Dumon, who recites in original patois the pretended verses of his compeers. It was still more political in the presence of Guizot, M. Mole, and M. Salvandy; is diplomatic with the presence of M. Billing, minister of France to Copenhagen; of General Fagget, minister of Holland; of M. de Gluckesberg; of M. de Tschan, Charge from Switzerland, and not long since of Compte Luxbourg from Bavaria. The presence of the Countess Nansoutey; the beautiful Mrs. Baring; the Countess La Redorte; and the Countess de Montespan, stamp it with elegance. At the first glance on entering, one understands that the entertainment is conversation. Couches and divans are abundant, and these have been artfully arranged. The hostess is nearly always ill. She passes only from her bed to her couch. She rises at seven in the evening; at eight she is in her saloon. When her illness is more serious, and compels her to withdraw from company, there is a general consternation in the hearts of those faithful friends who are accustomed to visit her each evening. One of the most const-

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visitors, M. Luxbourg, ambassador from Bavaria, was replaced in office by Prince Wallenstein, and this was through the influence of Lola Montes, that sylphide with clipped wings, who at that time governed the Bavarian Court.

The Sundays of M. Duchatel were not spent as most people think. His saloons and his wishes were governed by the tone common to all ministerial saloons, that terrible law, from which even her grace la Comtesse Duchatel was not exempt. They presented a perfect mosaic of men and women, of all countries, ages and conditions, strangers to each other, who yawned and watched the looks of the minister to smile upon him sillily, and make mouths at him in secret. Amidst these groups, and making themselves useful, were bureau clerks; also, M. Brindeau, a friend of the house, with his head skilfully dressed, curled and perfumed by Lentis. Varnished, gloved, and elegant from head to foot, M. Brindeau was envied by those less wealthy and less foppish; but he had the ear of the minister.

There are two descriptions of financial saloons, those where business is discussed, and those where it is excluded. That of M. Rothschild's is the type of the last. It is the saloon of a great financial Grand Seignior. It affords a neutral ground, where all opinions may be expressed without fear or animosity. Money belongs to all parties. The friends of the actual minister and those of the future minister converse together; dance in the same quadrille, and put their legs under the same mahogany. They remain, however, not the less mortal enemies, until the day of—coalition. The Baron James de Rothschilds never enters *mal a propos* into politics: he enters only into loan contracts, rail-roads, and banks. In the evenings, at home, he wishes to forget that he has been a banker all day, and he wishes that others should forget it also.

All financial saloons have not this horror of business. Some bankers give dinners, suppers, and parties, in order to procure customers. When the dessert comes, between two glasses of champaigne, they ask carelessly of a neighbor, "Is not Mr. so and so your banker?" "Yes! what then?" "Oh! I heard a rumor." "But what was it?" "I do not like to spread ill news of a neighbor." "Go on, I pray you." "You will not betray me?" "I am incapable of it." "Well, then, they report that your banker is embarrassed in his affairs; but I thought you would have heard it."

Here the conversation drops; but the calumny is afloat; the poison is communicated. You are ill at ease on going to bed; your sleep is disturbed with night-mare; you see your dollars dancing about like sylphs, and flying away like birds; and in the morning, the first thing, you go to your banker. You are at a loss to justify your sudden resolution: at last you explain awkwardly and timidly. Your banker smiles, and remarks without apparent malice, you dined yesterday with Mr. X.; and without seeking to dispel your suspicions, orders that your funds be placed at your disposal. That smile and that order cut short your suspicions, awaken your confidence, and you avow the truth. Your banker then proves to you his stability. Those who are happy enough to have bankers, should shun such houses as X. The theft of a customer is likely enough to be followed by a more grave crime. To those bank roués always promise patronage, but never give it. As long as you lure them with false hopes, you will always be a guest. The day you deposit your money with them, bid adieu to invitations, and take an affectionate leave of your dollars.

Of the dramatic saloons, those of Duprez and Mademoiselle Rachel

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take the lead. There, as at the theatre, those two great artists are the leaders. Through a sentiment of noble but perhaps exaggerated pride, Duprez only invites his peers, artists like himself. He fears, and perhaps erroneously, that in other circles many would regard him as honored in accepting his invitations. In these days of equality, talent has still an aristocracy which is the equal of all other aristocracies. Duprez makes no other exception than in the case of the beautiful Fernetti, of Madame Paton, who before her marriage was the beautiful Mademoiselle Pacini, and M. and Madame Cremieux. Cremieux was more than the friend of Duprez,—than his admirer: he was his lawyer, and now-a-days a tenor can no more sing without a lawyer than without a voice. Since Cremieux has become minister, he has more want of trumpeters than singers. The illustrious tenor, his wife, who has much talent, Colletti of the Italian Theatre, Strepponi Godefroy, the celebrated harp, and Dubois the violin, form concerts of which a king might be jealous.

Mademoiselle Rachel left the Faubourg St. Germain, where the society was too much composed of flaunting titles and too little sincerity for the rue Joubert, where there is less etiquette and more real gentility.

THE QUEEN'S CUP,

WON AT THE LATE RYDE REGATTA BY THE YACHT AMERICA.

In travel it has been my lot to meet with curious things,—
The flags that cost a million lives in battle-fields of kings,
The ancient flask that Wallace wore on Falkirk's fatal field,
The iron casque of William Tell, and Hermann's rusted shield,
The trusty blade of Bolivar, a ring from Cromwell's hand,
And the covering of the Kaaba in Yemen's happy land;
With patriot joy mine eyes were dazed, when first I caught thy sight,
Thou priceless Koh-i-noor by which the new world claims her right;
The Empire of the Sea has passed away from Albion's shore:
Columbia rules the ocean now, Britannia ruled of yore.

The Warwick Vase is wondrous rare; its satyrs, wild with mirth,
Are forms of all that's sensual and bacchanal on earth;
The Portland Vase is rarer still, for antiquarian lore
Has never solved the legend strange its sculptured beauty bore;
The Hebe Vase,—the gem of all,—a type of Grecian mould,
From which ambrosial nectar flowed, for Jupiter of old;
But thou art the Victoria Vase!—never Etruscan art
Produced an antique like to thee, to stir a nation's heart;
For with thee passed the sea's empire away from Albion's shore:
Columbia rules the ocean now, Britannia ruled of yore.

Our flag is new,—it hath not waved as yet a hundred years;
Our Eagle's wings are scarcely fledged, and yet he knows no fears;
His shadow doth in triumph fall o'er Adirondack's snows,
To the Navajo's chosen vale where murmuring Gila flows:
From Mariposa's golden hills to old Manhattan Bay,
His eye gleams as a meteor bright o'er freedom's starry way;
And proudly beats my heart to-day, while gazing upon thee,
Thou monolith, whose silent speech records our destiny;
The Empire of the sea has passed away from Albion's shore:
Columbia rules the ocean now, Britannia ruled of yore.

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SOME IRISH POETS.

(Continued.)

Our second extract from the German Anthology will be the "Spectre Caravan," by Ferdinand Freiligrath.* It has all the mysticism of the German school, but still there is displayed in it a masterly style: the picture it presents to the mind of the re-animated dust of the pilgrims to Mecca, who have, in their journey, been overtaken by death, is most strikingly vivid. We do not know where we could lay our hands on a better original, or a more spirited translation:

'Twas at midnight, in the desert, where we rested on the ground;
There my Beddaweens were sleeping, and their steeds were stretched around;
In the farness lay the moonlight, on the mountains of the Nile,
And the camel bones that strewed the sands for many an arid mile.

With my saddle for a pillow did I prop my weary head,
And my Kaftan-cloth unfolded o'er my limbs was lightly spread;
While beside me, as the kapitan and watchman of my band,
Lay my Bazra-sword and pistols twain a-shimmering on the sand.

And the stillness was unbroken, save at moments by a cry
From some stray belated vulture sailing blackly down the sky;
Or the snortings of a sleeping steed at waters fancy-seen,
Or the hurried warlike mutterings of some dreaming Beddaween.

When behold! a sudden sandquake—and between the earth and moon,
Rose a mighty Host of Shadows, as from out some dim lagoon:
Then our coursers gasped with terror, and a thrill shook every man,
And the cry was "Allah Akbar! 'tis the Spectre Caravan!"

On they came, their hueless faces toward Mecca ever more;
On they came, long files of camels, and of women whom they bore,
Guides and merchants, youthful maidens, bearing pitchers in their hands,
And behind them troops of horsemen following, sunless as the sands.

More and more! the phantom pageant overshadowed all the plains,
Yea, the ghastly camel-bones arose, and grew to camel trains;
And the whirling column-clouds of sand to forms in dusky garbs,
Here, afoot as Hadjee pilgrims—there, as warriors on their barbs!

Whence we knew the Night was come when all whom Death had sought and found,
Long ago amid the sands whereon their bones yet bleach around,
Rise by legions from the darkness of their prisons low and lone,
And in dim procession march to kiss the Kaaba's Holy Stone.

And yet, more and more forever!—still they swept in pomp along,
'Till I asked me, can the desert hold so vast a muster-throng?
Lo! the Dead are here in myriads; the whole world of Hades waits,
As with eager haste to press beyond the Babelmandel straits.

Then I spake, "Our steeds are frantic! To your saddles every one!
Never quail before these shadows! You are children of the Sun!
If their garments rustle past you, if their glances reach you here,
Cry Bismillah!—and that mighty name shall banish every fear.

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* It may not be uninteresting to our readers to know that Freiligrath, on account of the liberal political ideas he has dared to put forth, has been again exiled from Hulm, his native city, for the third time, and has announced his intention of taking refuge in this country.

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"Courage, comrades! Even now the morn is waning far a-west,
Soon the welcome dawn will mount the skies in gold and crimson vest,
And in thinnest air will melt away those phantom shapes forlorn,
When again upon your brows you feel the odor winds of morn."

These are but two poems from two volumes, and can, at best, convey but a meagre impression of the entire work; the limits of a Magazine article, however, will not admit of further extracts, and we must remain content.

We now turn to the Literæ Orientales, published in the Dublin University Magazine, and which proved the most attractive feature of that widely celebrated periodical, during a number of years.

In the early part of his author life, Mangan delighted in *oddities;* the strangest connections, whether of sense or rhyme, gave him infinite pleasure; and, therefore, we may sometimes find ourselves convulsed with side-splitting laughter, in a moment after we have been weeping bitter tears; he would commence a poem with all the grandeur of an epic, every line beautifully rounded, exact in its proportions, united in its sense; he would intersperse the most beautiful metaphors, and suddenly transform the whole into ridicule by a single couplet at the end. This was characteristic, but it was none the less a fault. It might please the multitude, it might tickle the ears of the reader for amusement, and afford a hearty laugh to the reader for occupation; but to the thinker who delights in each line, and at the end sums up the whole with pleasure, it must ever be disagreeable; it detracts from the merit of a poem to be concluded with comic effect, except it be a comic piece, where wit and humor are not out of place.

These remarks apply most particularly to those poems now under consideration. There are poems among them which may rank among the first compositions in our language, where the effect is kept up; but they are, in the main, such as we have mentioned. Beautifully executed until the conclusion, and then shattered to pieces by some ridiculous shaft of pleasantry.

We cannot bestow time in illustrating all our remarks with poems; but we give a few extracts as specimens of style in mechanical execution and rhythmical construction.

KASSEED IN PRAISE OF THE PROPHET AHMED.

* * * * *

Earth's destinies and dreams are storied on thy Brow,
Ya Alla-hu! Ya Alla-hu!
The sun of wisdom beams resplendent from thy Brow,
Ya Alla-hu! Ya Alla-hu!
Long ages hence, as now, shall saints before it bow;
And adore and admire
The bright fire
Of thy Brow.
Ya Alla-hu! Ya Alla-hu!

* * * * *

No mortal ever gazed on palace like thy Nose,
Ya Alla-hu! Ya Alla-hu!
Beholders shout, amazed, "Mahommed, what a Nose!"
Ya Alla-hu! Ya Alla-hu!

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The devils, thine old foes, oft curse that House of woes;
But thy friends find their strength
In the length
Of thy Nose,
Ya Alla-hu! Ya Alla-hu!

This last simile of the "strength in the length of his nose," though it sounds ridiculous on paper, has yet a meaning. It has been said that one of the favorite sayings of the Emperor Napoleon was:—"Strange as it may appear, when I want any good headwork done, I choose a man, provided his education has been suitable, with a long nose. His breathing is free and bold, and his brain as well as his lungs and heart, cool and clear. In my observations of men, I have almost invariably found that a long nose and a long head go together."

It may be that Mangan had this idea in his mind when he wrote the poem from which we have quoted.

In one of these Ottoman translations, Mangan lays down as a rule in Oriental poetry, that in some poems "whatsoever word begins a sentence, the same word, or a part thereof, written reversely, must terminate the same verse," and writes a poem upon that rule, thus:

*Tra*verse not the globe for lore! The sternest
But the surest teacher is the heart,
Studying that, and that alone, thou learnest
Best and soonest whence and what thou *art.*

* * * *

Evil angels tempt us in all places:
What but sands or snows hath earth to give?
Dream not, friend, of deserts and oases,
But look inwards and begin to *live.*

It is needless to say, that this idea was a whim of his own, and the poem, with all its high teaching, merely intended as a piece of pleasantry.

The curious intermixture of light and serious in the poem entitled "*The Wail and Warning of the Three Khalenders,*" has often been remarked, but beyond this, it has a great merit; there is perfect melody in the language, and it falls with such softness and sweetness on the ear as almost to captivate the reader. As we read it, a music suggests itself to us, and we are insensibly led into a musical accompaniment where none was designed. We extract these verses from this most curious production.

THE WAIL.

La 'lahá il-allah!*
Here we meet, we three, at length,
Amrah, Osman, Perizad,
Shorn of all our grace and strength,
Poor, and old, and very sad!
We have lived, but live no more,
Life has lost its gloss for us,
Since the days we spent of yore,
Boating down the Bosphorus.
La' lahá il-allah!
The Bosphorus, the Bosphorus!
For life has lost its gloss for us,
Since the days we spent of yore,
Upon the pleasant Bosphorus.

* There is but one God.

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La' lahá il-allah!
Gone is all! In one abyss
Lie Health, Youth, and Merriment.
All we've learned amounts to this—
LIFE'S A SAD EXPERIMENT.
What it is we trebly feel,
Pondering what it was for us,
When our shallop's bounding keel
Clove the joyous Bosphorus.
La' lahá il-allah!
The Bosphorus, the Bosphorus!
We wail for what life was for us
When our shallop's bounding keel
So clove the joyous Bosphorus!

THE WARNING.

La' lahá il-allah!
Pleasure tempts; yet Man has none
Save himself t'accuse, if her
Temptings prove, when all is done,
Lures hung out by Lucifer.
GUARD YOUR FIRE IN YOUTH, O FRIENDS!
MANHOOD IS BUT PHOSPHORUS;
AND BAD LUCK ATTENDS AND ENDS
BOATINGS DOWN THE BOSPHORUS!
La' lahá il-allah!
The Bosphorus, the Bosphorus!
Youth's fire soon wanes to phosphorus;
And slight luck or grace attends
Your boaters down the Bosphorus!

Thus much for the Literæ Orientales. We have given but a few specimens out of many, and there may be others better in the series which we have not even noticed.

Among his miscellaneous poems we wished to quote the Nameless One, an autobiographical ballad, showing his own struggles through the world, and which was one of his latest productions; but we lay this aside to make room for one still greater, a poem where the height of passion is mingled with the strength of reason, and the studied grace of poetical excellence. We quote entire "The spell of Hatred."

THE SPELL OF HATRED.

Yes! freedom's war, though the deadly strife
Make earth one charnel bone-yard,
The last fond clasp to the child and wife,
And the first firm grasp of the poignard.
Blood soon shall run in rivers above
The bright flowers we to-day tread,
We have all had more than enough of love,
Let us now have a Spell of Hatred!

How long shall the hideous ogre power
Rear column of skulls on column?
Oh! Justice, hasten thy promised hour
And open thy doomsday volume.
No more oiled speech—it is time the drove
Of despots should hear their fate read;
We have all had more than enough of love,
Let us test now the talisman—Hatred!

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Cold steel—to that it must come at length,
  Nor quake to hear it spoken—
By the blows alone we strike in our strength
  Can the chains of the world be broken.
Up, then! no more in valley or grove
  Let slavery and dismay tread,
We have all had more than enough of love,
  Let us now fall back upon Hatred!

My friends, the tremendous hour at hand
  Will show itself truly in earnest,
Do ye the like, and take your stand
  Where its aspect frowns the sternest;
Strive ye as Tell and Kerner strove,
  Be your bright swords early and late red;
We have all had more than enough of love,
  Let our watchword henceforth be Hatred!

Mangan's imagination was fertile in invention, and some of his figures bear marks of the highest poetical art; thus, in a poem on Childhood:—

"Man, like the leaf that swims the wave,
Goes headlong down that rushing river,
Whose lampless shore
Is spectre-peopled from the grave."

We can make but one more extract from Mangan's poems, and we scarcely know which to choose out of the mass before us; look on which we will, we are sure to find the strong marks of his genius, yet in none, perhaps, more vigorously displayed than in "Pompeii," which we have selected:—

The heralds of thy ruin and despair
  Quickened and thickened as the hour drew nigh:
What prodigies of sound convulsed the air!
  How many a death-flag was unfurled on high!
The sullen sun went down—a globe of blood—
  Rayless, and coloring every heart with gloom,
Till even the dullest felt and understood
  The coming of an overwhelming doom;
    The prestige of a crisis and a fall—
    A shock—a thunder shock, for thee, for them, for all!

We shrink into ourselves when night and storm
  Come blackly down, as though to every soul
Heaven here foreshowed the character and form
  Of nature's death-hour. Doth the thunder roll,
The white wave boil, the arrowy lightning strike,
  Flood, fire, and earthquake devastate in vain?
Or is there not a voice which peals alike
  To all from these, marshalling up that train
    Of scenes and images that shall be born,
    In living, vivid might upon the judgment morn?

* * * *

The desolated cities which, of yore,
  Perished by flooding, fire, and sulphurous rain,
Where sleeps the Dead Sea's immemorial shore,
  Lie levelled wrecks below that blasted plain.
They fell; thou fellest; but, erased from earth,
  Blotted from being for eternal years,

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"Their" image chills the life-blood—"thine" gives birth,
Even while we tremble, to some human tears.
Had'st thou less guilt? Who knows! The book of Time
Bears on each leaf alike the broad, red stamp of crime.

Mangan's dexterity as a versifier was most wonderful; we do not remember to have ever observed such power of rhyming in any other poet; he could make the most peculiar and striking combinations, and with all the frequency of curious rhymes he never sacrifices propriety. He could improvise with equal facility, and has been known to talk in poetry for hours without any apparent effort; the only difference between his published pieces and those improvised, being, that the latter were more colloquial in tone. The versatility of his genius was equally surprising; he could adapt his ideas and expressions to the spirit of any language. In many of his, so-called, translations, the originals furnished the mere ideas, the form of the expression was his own; in some instances both ideas and expressions originated in him. The poems attributed to Hafiz, the Persian poet, were mostly without originals; the poet merely sought the spirit of the writer of the "Rose Garden," and so well did he succeed in this, that readers, familiar with oriental literature, were deceived into a belief that these poems were translations. Mangan, upon being questioned as to the reason of his thus giving to another the credit of such splendid productions, replied, that "Hafiz paid better than Clarence Mangan, and that people were foolish for believing them translations, when any scholar could perceive they were only *half his.*

It was the same with his German translations. In the German Anthology will be found many of his finest poems; to all of them Mangan has imparted a vigor exclusively his own. From the simplest ideas he has produced the most beautiful poems; he has enlarged upon the language, and used a style and a class of illustrations peculiar to himself. Most prominent among these is the poem we have already quoted, "The Ride Around The Parapet." The original of this was a short narrative poem by Rueckert, entitled, "Kuhnegunde Of The Keinest," marked by no great vigor and beauty. Mangan's "Ride Around The Parapet," on the contrary, is one of the strangest, finest, and most fascinating poems written in the present century, and may challenge competition. The delineation, first, of the haughtiness and pride of Lady Eleonora Von Alleyne, her triumph over the slaughter of the six and thirty knights, her sudden love for the gallant Margrave Gondibert, her remorse and fear when she thinks that "he but rideth to perdition," all belong to Mangan, and the catastrophe is certainly his, for, as we have already said, he delighted in such quaint peculiarities, and it must have been delicious for him to "transmogrify" the stony-hearted beauty into a wooden image at her own castle gate.

We have already said that the general voice of "Young Ireland" has assigned to Thomas Davis the first place among her poets; but we, although Davis' talents hold a high place in our estimation, cannot agree in the estimate thus made. In true poetical genius, in power of language, in elegance of thought, Mangan is by many degrees his superior. His life was wild and erratic, and his poetry partook somewhat of the same nature, so that the reader must be prepared for great irregularities; his writings were generally short poems, not because he was incapable of more extended efforts, but because necessities always pressed upon him,

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and by hasty publication alone could he relieve himself. His imagination was clear and healthy; bright worlds opened before his eyes, radiant with angels, basking their outspread wings in the golden sunlight; inspiration came to him unsought, he breathed it in with the atmosphere around him, in the beauties of nature, in the triumphs of art. Although bowed down by poverty, the heavy hand of sickness grasping his vitality, the world of his imagination was bright as ever, and he poured forth gushes of melody such as the world has seldom heard: lamentations for his beloved country, and predictions of a glorious hour approaching. His poems had their effect, they were chanted by revolutionary parties in the mountains, and copies were eagerly sought by the residents of large cities; men felt the inspiration of the poet and were strengthened. We have already mentioned the universality of Mangan's mind: we merely allude to it again in this place that the reader may reflect and find whether it has been proven.

Mangan's poems yet remain to be collected, and his life to be written; it will be done, for the world begins to wake from its lethargy, and to comprehend that the great poets did not all live in past ages. Here was one, who, without education, hemmed round by poverty, in a country where even the lovers of genius would not have dared to foster it in so independent a spirit, yet broke through all trammels, and lived and died a poet, not a weak one, thrusting himself ever forward, but one who gave to others in his lifetime the glory which shall cluster round his own name in the grave.

We have devoted to Mangan and Davis more space than we had intended; but the field was so wide, and the subject so interesting, that we could not restrain our full expression. In the following pages we shall be more brief, using our own remarks, and quoting only such passages as are absolutely necessary to a proper understanding.

After those who have already occupied our attention, come two poets who stand side by side, in a sort of poetical brotherhood: Frasier (better known by his *nomme de plume* De Jean,) and Richard Dalton Williams; the dividing mark between them lies in this:—Frasier was the poet of strength, Williams of wit and beauty. One was the man of strong, sound, vigorous, but uncultivated mind, the Elliott of Ireland; the other of a refined and carefully cultivated intellect, beautiful by nature, and rendered still more beautiful by art. Let us not be understood as meaning that strength belongs alone to Frasier; for Mr. Williams has also merit in this respect, but not to the same extent.

Our experience in literature has firmly persuaded us, that greater force of expression will be found in the writer who is guided only by natural talent, and spurred on to exertion by passion, than in one who has enjoyed all the advantages of collegiate education, and who has become precise and correct by measure and rule. The man of a carefully cultivated mind will be cautious in the selection of words, in his manner of disposing them, and will be likely to draw largely upon his fancy in the invention of beautiful figures; he will strive for melody of language, and in following out the strict rules of poetical composition, much of the natural passion will be lost; all will be elaborated with care and taste. The uncultivated man, on the contrary, will seize the first words that suggest themselves, and will use the simplest, and necessarily, the strongest phrases; he will not pause to select, nor has he the skill to dispose of them to artistic ad-

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vantage. A happy turn of mind, a knowledge of humanity, will always aid him; and his figures, if not as highly wrought, will at least have as much beauty, and this the careful reader may study out. This then, in our mind, is the distinction between Frasier and Williams: the one was guided only by a natural intellect, and a naturally good taste, the other by a carefully stored mind and a highly cultivated fancy; one was a poor Dublin cabinet maker, who laid down the hand-saw and jack-plane to assume the pen; the other a medical student, who moved in the first literary circles, and gratified his poetical taste by various contributions to the literature of his country. Following out the strict rules of poetical judgment, we would be forced to acknowledge Williams as the greatest poet of the two, but we infinitely prefer placing them side by side and claiming preference for neither.

The incidents of Frasier's life afford no materials likely to interest; when we have said that he was a cabinet maker, and gained his livelihood by the labor of his hands, struggling against great obstacles—his poverty, and a weak and deformed physical frame, we have told all. His first volume, Poems for the People, was published in 1845, and in his preface he says, "The following poems should be viewed as the work of a man who wrote for his countrymen alone—and not for every generation of them—but merely for the present—as his first and most imperative duty; with this object he had to deal with events as they arose, or, if he drew from imagination, he had to make the picture true to national feelings and passions, of which—judging by his own—he believed himself a faithful, though a weak delineator." After this apology we might reasonably expect to find a volume of poems hurriedly put together, and wanting in all the essential parts which constitute the charm of poetry; this is not so; although we state the prominent characteristic of Frasier to have been strength, yet he was not wanting in the minor graces of composition, as many of his verses will show. There is a beautiful mixture of both these qualities in the Insurgent's Song, from which we take one verse:

"We suffer'd in patience—till patience became,
Like snow round the crater of mountainous flame;
Yet complaints, like the smoke, which could not be repress'd,
Show'd the smould'ring fire still at work in our breast.
What then *did* our tyrants to soothe discontent?
Why, they *added new insult and wrong to resent!*
And now let them look for the lava, to wreathe
The villas and vineyards they planted beneath."

We take another verse in Frasier's own peculiar strain, from one of his patriotic poems:

"Those scalding tears—those scalding tears,
Too long have fallen in vain:
Up with the banners and the spears,
And let the gathered gloom of years,
Show sterner stuff than rain!
The lightning, in that stormy hour,
When forth defiance rolls,
May change the poles of Saxon power,
And melt the chain, the long, long shower,
But rusted round our souls."

This entire poem, "The Gathering of the Nation," is one of the most powerful lyrics of the age; it is the very concentrated expression of the

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strongest passions that may agitate the human bosom—patriotism and hatred. In these volumes we frequently meet with ideas novel and elegant, as this one:

"To *crime for cause* let none be driven!
The sand—the flowery sod—
Are proofs of Providence—and even
The stars are asterisks of heaven,
Referring us to God!"

We will close an extract from Frasier, by quoting from "Our Song"—one of his finest poems:

"We have no music on the breeze—
No banner in the beams;
Our standards are the forest trees—
Our trumpeters—the streams!
Yet not till all
The forests fall—
Not till the streams be hush'd,
Shall we, who wield
Nor sword, nor shield,
By tyranny be crush'd!
* * * *
Go, tyrants—trample human souls,
While license yet is giv'n;
But know, ye tread on burning coals,
That have been lit in heav'n;
And if no blaze
Arrest your gaze,
Deem not the spirit flown!
That, *tho' your heel*
Be shod with steel,
Will burn you to the bone!"

These extracts, few and brief, will yet be sufficient to convey an idea of the material from which the poet was made: he seemed to write with a pen of iron—with a sword point dipped in gall; every line tells home, with the force of a well-planted blow; and any person with a knowledge of the Irish character, can easily imagine what must have been their effect. But to inquire into this is not our object, and we are admonished to turn our attention to the poet already named, as standing beside Frasier.

Richard Dalton Williams was one of the earliest and best contributors to the Nation; in political satire lay his greatest strength, and we exceedingly regret that we cannot come at all of his poems; as it is, we can find only those published in the Spirit of the Nation, and, with all due deference to the compiler of that work, whoever he may have been, we will say that they are generally the poorest of Mr. Williams' writings. The Rath of Mullaichmastean, is his finest poem in the collection to which we have alluded. The story relates to the stratagem by which Sydney destroyed a number of the Irish, at a feast and festival given at the Rath of Mullaichmast.

The opening of the poem is exceedingly effective, and shows a strong power of description; we almost shudder at the picture it presents.

"O'er the rath of Mullaichmaist,
On the solemn midnight blast,
What bleeding spectres passed,
With their gash'd breasts bare!

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Hast thou heard the fitful wail,
That o'erloads the sullen gale,
When the wauing moon shines pale,
O'er the curs'd ground there?
* * * *

"Red streamlets trickling slow,
O'er their clotted tresses flow,
And still and awful woe,
O'er each pale brow weeps—
Rich bowls bestrew the ground,
And broken harps around,
Whose once enchanting sound,
In the bard's blood sleeps."

The closing verses impart to the poem a style of melancholy grandeur, fully equal to the splendid German poem by Uhland, from which Mueller conceived the idea of his magnificent marble group, lately so popular in our city, "The Minstrel's Curse." Here too, it would seem as if some spirit of the past had come back to earth, and with deep sonorous voice, gives the relation of the treacherous stratagem, and warns his countrymen against trusting the foe to whom dishonor gave no pang, and whose name could not be heaped with too many infamies.

Since that hour the clouds that pass'd
O'er the rath of Mullaichmaist,
One tear have never cast,
On the gore dyed sod;
For the shower of crimson rain,
That o'erflowed that fatal plain,
Cries aloud, and not in vain,
To the Most High God!

Tho' the Saxon snake unfold,
At thy feet his scales of gold,
And vow thee love untold,
Trust him not, Green Land!
Touch not with gloveless clasp,
A coil'd and deadly asp,
But with strong and guarded grasp,
In your steel clad hand.

Mr. Williams' most popular poems were "The Mis-adventures of a Medical Student." They are conceived and executed in a manner showing a most thorough command of language, and a knowledge of the laws of poetry. His imagination is very felicitous, and his powers of invention rare and ripe! He alternately moves his readers to tears and laughter, while he, all the while, apparently preserves the most perfect equilibrium. Mr. Williams was the only one, of all the illustrious band, who were arrested on the charge of high treason, that was acquitted. He was known to have talked, written, and acted sedition—if patriotism can be so called; yet the evidence could not be found to substantiate the accusations, and he escaped the prison hulks of Bermuda and the penal colonies of Australia.

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REEDYRILL.

VIII.

The next morning after this I felt mawkish and melancholy, as lovers *will* feel sometimes, and there is no use in attempting to conceal that I was in a fair way to fall head and ears in love with the dark-eyed Laurine. I was prone to remain in a fixed attitude for hours together: if any one spoke to me, I heard them not, and took no notice of what was said and done around me. All day I wandered about the house like one possessed with the fiend of stupidity; and Aunt Eliza, who always avowed that there was a vein of insanity running through the family, declared that she firmly believed I was going deranged.

As the twilight grew on, I took my perch on the balustrade of the portico, with my back against a pillar; and as the soft fresh breeze fanned my cheek, and the fragrant odors it bore along regaled my nostrils, and the charm of the holy and beautiful hour purified and exalted my spirit, I became filled with divine joy and poetry. The south wind that flew by on viewless wings seemed to sing a carol in my ears. And though poetry always loses by a *translation*, yet I tried to render into words the voice of the evening zephyr, even as its music thrilled into my ears, and my thoughts shaped themselves into a

SONG OF THE SUMMER BREEZE.

I.

O'er valley and hill,
O'er river and rill,
O'er forest and field,
Thro' caverns concealed;
O'er the wild mountain,
O'er the still fountain,
O'er deserts flying,
O'er mossy bank sighing;
O'er the blue ocean,
In sunshine and shower,
In vine-mantled bower,
Spirit of power,
Spirit of motion,
Essence of being*
From eternity springing,
Thitherward winging,
Swiftly I'm fleeing.

II.

Footprint, I ween,
May not be seen,
Whither I've trod.
Emblem of God!

---

vold God breathed into manthe *breath* of life, and he became a living soul. *Gen.*

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Of life the source,
Spirit of force:
With noiseless course,
In the airy realm
I govern the helm.
Ever controlling
The systems rolling
Through infinite space
Their unending race.

III.

When the star-worlds bright,
Now winging their flight
Through regions of light
Emerged from the night,
I moved o'er the deep
Where the chaos did sleep,
Where darkness did lower,
And from that first hour
Was I crowned with power.
Essence of being
From eternity springing,
Thitherward winging,
Swiftly I'm fleeing.

IV.

Flying with arrow speed,
Bending the slender reed,
Bending the giant tree,
Waving the flow'ry lea;
Ruffling the stilly stream,
As doth a restless dream
O'er the brow flitting
Of sleeper unwitting.
Fanning the prince's brow,
That of the peasant now,
Buoying the feather frail,
Filling the swelling sail,
Kissing the gentle flower,
Crushing the lofty tower.
Spirit of power:
Essence of being
From eternity springing,
Thitherward winging,
Onward I'm fleeing.

"Marse Ernie," said a little grotesque negress, with a red striped petticoat and snow-white turban, belonging to Floralie: "Marse Ernie, Miss Flory say come in the back hall and get some peaches and cream." Seeing that I paid no attention to her, she tugged my coat and repeated her message.

"Tell your Miss Floralie to go to the devil," said I, not knowing what I was saying, and conscious only of an interruption, at the same time tossing the end of my cigar, which had been extinguished an hour, into the gaping mouth of the astonished slave, who sputtered it up and scampered away in affright to her mistress.

"Marse Ernie, cook is going to kill Belle for eating eggs—must she do it?" asked Pack, popping his head over the back-yard fence.

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"Certainly," I replied, unheeding a syllable.

"Kill Belle!" cried the boy, in astonishment. "Why, massa must be loosin' his senses sho' nuf. Well, I would'nt—why, dirn it, she *shant* do it," muttered he, as he walked away.

"Certainly," I repeated.

"Marse Ernie," said Murre, coming to the door, "here's Miss Flory says that your pet hawk has got loose in your laboratory, and is breaking the phials and things all to smash."

"Tell Florie to eat them for me. I don't want any," said I, having a confused idea probably of peaches and cream.

"Which, master, the phials or the hawk?"

"Both."

The slave laughed, and ran away. I was still asleep and dreaming. Next came Floralie, and stepping on the piazza, she set her arms a-kimbo, and, gazing at me with an air of comic surprise, mingled with mischief, she said,

"Mr. Kerne, upon my word! What do you mean by such conduct?"

I saw her not.

"Don't you hear?" cried she, coming up and shaking me by the arm; "the man has gone stark, staring mad, I do believe."

"Hallo here! Florie, what's the matter?"

"What's the matter yourself? What do you mean by choking Lully with your cigar, and sending me word to go to the old scratch; is'nt that pretty language to send a lady? And telling cook to kill Belle, your best hound, and that I must eat your broken alembics?"

"What the mischief are you driving at? Kill Belle! By thunder! who has dared ——"

"Why you just sent word by Pack to the cook—he said you must be crazy. Ned has just knocked the poor hound in the head, and all for eating a few eggs."

"Eggs! By Juno, I'd let her feed on eggs all her life if she fancied them. I'll go and give cook a threshing this minute," cried I, jumping off the banisters in a passion.

"No you won't," said Floralie; "keep quiet now; its your own fault, you sent word to kill her.'

"I? I never did such a thing."

"Nor told Lully to tell me to go to the devil for inviting you to eat some nice peaches and milk with aunt, and Bolivar, and myself?"

"What the deuce are you talking about?"

"I ought to ask what nonsense you have been at," said she, laughing, as she playfully took my arm, and made me skip across the floor with her; "But I see how it is—day-dreaming as usual, and no doubt a certain 'Vishnu' had no small share in your dreams," she added, looking archly up in my face. "Come, sit down here now on this settee, and tell me—it is not fair that you should enjoy all these beautiful things by yourself: make me a participant—won't you?"

"Would that I could, dear Florie. Would that I were some good fairy to fill your heart always with golden dreams and sunshine. But what use, when it is already so?"

"Not always," said she tenderly, with a half sigh, which I did not know the meaning of.

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"Well," added she at length, "come now and get some of my nice peaches."

"Thank you, I've just taken a chew of tobacco."

"Oh! that horrid tobacco! But I see you want to go to sleep again: well, good night, and pleasant dreams t' ye;" and with a playful courtesy, she vanished.

I did resume my reverie in the dreamy twilight until I was aroused by Sally to come to tea. After tea they all began to tease and quiz me, and not feeling in the mood for it much, I made my escape for the piazza, into which the mellow moonlight was now streaming, and where I could hear the katydid and the trefoil and distant whippowill blending their wild, half-musical notes among the dark shadows of the old park trees in front of the yard. After awhile Bol joined me, and proposed that we should go over to Black Oak, and give Laurine a serenade. I acceded to this proposal, and taking my guitar and he his flute, we ordered our horses and set out. Our road lay through three miles of magnificent forest, which we entered as soon as we left the big gate. How majestic, how full of wild mysterious beauty, is a grand old forest lit up with moonlight! Often in riding along through them, a secret joy and satisfaction has filled my breast when I thought, that here, at least, the iron-hand of civilization had not marred its beauty, and I breathed a silent prayer to heaven that it might never be. Alas! that holy prayer I fear must not be heard. The vandal hand of democracy will sweep away these lords of the vegetable kingdom as it has swept away all else time-honored and beautiful.

"Bolivar," said I, as we rode slowly along, "cursed be the hand that fells these noble trees."

"I say, no," he replied; "that is all moonshine, my dear Ernie. I think it better that they should in due season be cut down. They are beautiful, it is true, but useless, and only serve as the haunts of wild beasts and reptiles. No; let them be felled—their tall shafts sawed up by the *steam engine*, and made into lumber to build houses and barns and fences; to conduce to the health, comfort, and happiness of mankind, and thereby subserve the purposes for which the Creator made them; to build ships to sail across the broad blue sea, bringing men of all nations together, and making all men happy and free; to build school-houses and churches with."

"No school-house or church that man can make can better teach man to be good and happy than they do as they are. The forest is a church, a living temple to the Almighty God. It was the first I ever entered, and 'twas there I learned to love wisdom and beauty. What abominable sentiments you have uttered, my dear Bolivar. Oh! may the forest be spared. *It* is at least a Druid temple, where I can bow at nature's altar, undisturbed by the clatter of the cold, heartless machinery of the busy workshop of civilization. How can a man but feel elevated, happy—holy in riding beneath these ancient trees, through which the pale moonlight is struggling with its dark shadows! How can he but worship their forms of wild beauty! An old oak is the most solemn and majestic thing in nature. Do you remember those grand old live oaks of Louisiana, with the long gray fern-moss flowing from every limb in silvery festoons down to the very ground?"

"Yes, they were truly beautiful,—you would call them temples of nature, I suppose?"

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"No; I would call them grand old gray-beards—patriarch princes of the past. An old, moss-mantled oak is one of those things which I reverence—which I worship. They always seem like living beings to me; mute spirits, who stand in their solemn stillness for ages, brooding on the philosophy of nature and eternal life. Aged seneschals! hoary high priests of nature, I reverence ye,—ye are the only living beings who come to us from the farthest shadowy vistas of the past. And methinks, sometimes, I can understand the language of your sighing boughs. Grim patriarch! what tale of old years art whispering to the passing breeze, to be borne away to the land of dreams?"

"You would make a good druid."

"I believe I would. For I have often thought that much of what is called idolatry, or paganism, is true religion; certainly far higher, more exalted, than the sing-song cant of e'er a snuffle-nosed methodist in the land. And were I a follower of Paynimrie, I should be a druid; and I would bow to the Great Divinity under thy spreading branches, aged oak! Years roll on, ages pass away, and yet your gnarled body and wide-spread limbs weather the snows of winter, the summer droughts, and equinoxial storms, the lurid lightning, the driving hurricane, the stealthy worm, the woodman's axe! All thy foes have spared thee, ancient oak! In spring, your buds are swelling; in summer, your verdant foliage in graceful festoons crowns your wrinkled front, and cast their cooling shadows on the parched earth, as fresh and vigorous as the youngest sapling that calls you grandsire. In autumn it fades and withers, glowing with the hectic fever-flush of death, beautiful in decay, for fair things aye fade, and the passing wind rustles them away to feed and fatten old mother earth, who, cannibal-like, devoureth her own offspring. The fragile flower, the withered leaf, proud, vain man,—all die in a day, a month, a year; but ages roll on, and the old oak still silent stands brooding—the weird seer—on the philosophy of eternity.

"Ah! noble forest, for how many ages has the wild bird carolled in your swaying twigs, and wrought her fibrous nest in your leafy boughs! For how many ages has the fleet fawn reposed beneath your shadow, or sought refuge in your dark recesses, from the red man's arrow! But, alas, even you must meet your destiny.

"The white man has swept away your red brother, and the red deer, to whom you were a protector, and you must follow. Why was not every tree a Bohun Upas to the Saxon, to drop poison on the audacious mortal whose first step on the cisatlantic shore brought curses, and crime, and misery, into the world, which the Creator had dedicated to Nature's uncontrolled dominion? In a few years ye will be numbered with the old years from whence ye sprang.

"In my childhood, Bol, I took a singular whim of typifying the nations of the earth by the trees of the forest."

"That was a curious fancy—but you always were full of odd notions. How did you classify them?"

"I have almost forgotten now. The French I recognised in the bowing form, fantastic wavery, gay lines, and gallant bearing of the maple. The tall, prim Lombardy poplar, was the proud Spaniard. The mountain pine the wild, poetic Highlander. The rotund oily cedar was yclept the Dutchman. The Irish by his own shamrock. The waving palm, the Oriental. Negroes I typed by our uncouth scrubby blackjack.

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"What did you call the Americans?"

"The black locust, with its rapid growth, its tenacity of life, its inquisitive thrusting of its fibrous rootings every where it had no business, its unattractive exterior and its gregarious habits. The English, I of course represented by the grand old oak, stalwart, braving the dire tempest, and yet crowning itself with beauty of form and hue."

"You had better go to England, Ernie," said Bolivar, drily; he hated them as many Americans do, with a holy hatred. "I would not live in such a country as this, if I were you. I wonder you stay here."

"I am going to England one of these days," said I, warmly. "I would think that I have lived in vain, if once at least in my life I did not make a pilgrimage to our grand old fatherland. Old Domine Rumsey would not tread the classic shores of Greece and Rome with more worshipful delight than I would the storied scenes of dear old England."

"By the shade of Daniel Boon, it hurts my feelings, Ernie, to hear a Kentuckian born talk so about the infernal British, who cut the throats of our grandfathers, and did the best they could to enslave us all."

"And yet, some of those same Kentuckians born, are willing to talk about brotherhood with those infernal Yankees—whom may all the devils confound—who have passed laws more insulting and oppressive upon Kentuckians than any that Lord North ever advocated. No, Bol, I reserve all my hatred for the Yankees, who are not only my natural foes, but who, besides, have nothing about them to be admired as the English have."

"The England of your dream is not the England of reality. Go there, and find the arrogant, haughty lords, and the down-trodden people, and you will come back not so much in love with your glorious England."

"That is all humbug, manufactured for the express palate of Brother Jonathan. But the England of my fancy can never be faded from my heart. The people may have changed, and I may be disappointed in them, but that I do not believe; but Westminster-Abbey, Avon, Derwent-Water, Eastcheap, Newstead, merry Carlisle, Windsor Castle, Tweed, old father Thames, and a thousand other scenes hallowed to my mind by association and memories of the glorious past, are there yet, and would render that Island Queen of the North dear to me, even though it should be annexed to the republic, and run over with a horde of sharp-nosed, spectacled Yankees."

"Much better would it be for the English people were such a glorious event ever to take place."

"Now, God forbid! Of all the ——"

"Hush! what can that be?" And we both stopped involuntarily to listen, as the muttered sound of human voices fell upon our ear. It was now past eleven o'clock, and we had just emerged from the forest with a field to our right, when low voices as if in consultation were heard, and we found them to proceed from an old dilapidated tobacco barn which stood in the field near to the roadside, which was surrounded with tall, rank weeds.

There was a bank of low, dark clouds piled along the horizon, which was lit up ever and anon by a gleaming sheet of red lightning suffusing its entire extent, and showing the outlines of the cloud like a lamp behind a gauze curtain, and at intervals a bright forked streak would dart out like the tongue of a fiery serpent; the barn was cast in a deep shadow by the trees, and we could not see within. I was just about to call out "Who's

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there, naturally surprised to find persons at such a place and such an hour, when Bolivar put his hand on my lips, whispering, "It is slaves up to rascality of some sort; be still, and we'll find out what is going on."

We both noiselessly dismounted, hitched our horses, and crept into the shed which surrounded the barn. On peeping through a chink, we found that the moonlight straggled through the roof, which had fallen in, and revealed a group of four men—three negroes and a white man. One of them I knew to be a slave belonging to Squire Iveson; one negro had his back to me, and the white man and the other negro were strangers to me. At the moment almost that I looked, the one who had his back to me turned so as to discover his profile, and, God of heaven! what a thrill of horror and amazement ran through me, when I discovered that they were those of the slave Mat! I could not realize it,—and yet they were too well known to me, to be mistaken. In the dim, mysterious light, that group of wild, demoniacal faces now relapsed into a profound silence, and I could almost imagine that the whole scene was a chimera of the brain. I clutched Bol convulsively by the arm, and pointed out the face of the mulatto. Either pain or surprise, perhaps both, caused him to start; and in doing so he made a slight noise.

The white man, who was as mean a looking scoundrel as I ever set eyes upon, glanced his eye quickly towards where we were ensconced behind a pile of tobacco sticks. "I thought I heard a noise," said he; and as soon as he looked up, I recognized him as Parsons, the peddler, that Scamper and I had bedeviled before I went to college.

"It was me, I reckon, trod on a stalk of tobacker," said Cuffie, Mr. Iveson's boy—a notoriously vicious rascal.

"Ernie," whispered Bol, "there is your friend Parsons, and that hell-hound mulatto come to life again; you may depend that they are brewing a pretty kettle of villainy between them."

"I see it's lightening in the north," said the white man. "I wish it would cloud up; it would suit our schemes much better."

"Pshaw," said Mat, for it was indeed he, "let it shine bright as midday, for aught I care; we are three to one, have the advantage of taking them by surprise, and I don't fear them any way."

"I am much afraid those two negroes at the Reedyrill plantation will reveal all," said Parsons.

"They dare not do it," rejoined his mulatto colleague. "Only those three know it; and although they refused to join us, we gave them distinctly to understand that, whether we succeeded or not, if they hinted a word about it, we would murder them on the spot."

"I wish to goodness," said the peddler, "that we could get Parker into the scrape; he's worth a dozen common niggers."

"Yes; but he's a d—d fool—he'd rather be a slave than free," said Cuff. "I sounded him one day, and he was as quick as tinder; he swore he would report me to the overseer, and have me hung. It was as much as I could do to turn it off."

"No, you carn't truss' him," said a great burly goggle-eyed negro, with a hideous scar seaming his face caused by the falling of a tree: "He nearly killed Bradshaw's Josh for saying that de white folks war a set of damned rascals."

"Namphum, Parker not help us; him say he white man, case his daddy gubner—say *he* no nigger."

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"Mat, how far is it to Squire Iveson's?" asked Parsons.

"'Bout half a mile, I reckon."

"Had'nt we better go on and not wait for Pete and Clark? There is nobody there but the old man, his wife, and the girl, and the overseer at the quarter."

"Its mos' too early, I reckon; all the hands have hardly gone to bed, and there is some niggers there as bad as Kerne's. They'd fight for their old master to the last drop. Gum and Silas and Jim Matlock have 'greed to settle thur hash for 'em, but still its best to be cautious. We'd better wait for Pete and Parsons.

"By the Lord, Bolivar," said I, in a scarce breathed whisper, "this is an *insurrection!* plain case. I will stay here and watch their manœuvres, and you go home and get Chunk, Parker and the overseer, arm them well, and make haste back. You've no time to alarm the neighbors—they may have finished their work before you could do it. Take this key, and in my secretary you will find a pair of revolvers, a bowie, and two or three single-barrelled pistols; all are loaded, I believe. In the hall you will find several guns and rifles, and there are two or three sabres about the house—bring all. Chunk will show you plenty of ammunition. Be cautious, and get back to the Squire's as quick as possible."

"You go," said Bolivar, "you can manage better those things at home than I can, and its more dangerous to stay here."

"Do you suppose that is any reason why I should not stay?" We were both unarmed, and this was the only course consequently that we could adopt.

Bol took the key and noiselessly withdrew, and I had the satisfaction to hear him mount his horse and ride off without attracting the attention of the conspirators, other than the sound of his horse's feet; on hearing which, one of them went out, passing within a foot of me, and returned, saying that he could see nobody, and that it was probably somebody passing by. Bol had prudently taken my horse with him for fear that he should be discovered.

"Dem men are berry slow comin'; if dey wanted dar freedom bad as I does, dey would be in a bigger hurry 'bout it."

"Be patient, Cuff, you'll soon be a free man. To-morrow's sun will dawn on this country in possession of the negroes and their friends."

"Yes, by Gosh, we'll make de white wimin and children our slaves, and kill all de men."

"Dat Miss Laurine dam pretty gal," said the goggle-eyed negro, "I takes her for my wife."

"No you don't, old feller," said Matto, with a savage grin, "I tends to her case myself—she's my property." Unable to suppress a motion of fury, I knocked down a couple of tobacco sticks, which made a good deal of noise.

"By God," cried the white brigand, as the four simultaneously sprang to their feet, "there is somebody in the barn!"

"We'll soon fix him, whoever it is," muttered the mulatto, drawing a long keen knife as he advanced toward the door; at the same time a pistol was fired by one of them in the direction that I was, fortunately without effect. All I could do now was to run for it, as I saw one of them lighting a dark lantern, and the whole of them entered the shed with drawn knives.

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made instantly for the door, and would doubtless have effected my escape, but just as I gained it, I tumbled over something, and fell on my face.

"Don't shoot!" cried Parsons, "let us see first see who it is. Surrender, or I'll kill you by ——," continued he, throwing himself on me as I recovered my feet. With a back stroke of the tobacco stick which I had stumbled over, I felled him to the ground, but in the meantime Matto crept up behind, and throwing his long muscular arms around me, rendered me as powerless as a child, at the same moment the other who carried the lantern cast its light on my face and discovered who I was.

"Ah! Master Ernie! so you are playing patroller,* eh? Stop, don't kill him now," said the mulatto to Cuff, who raised his knife to stab me; "Don't kill him now—there are some things I want him to witness. We are *rivals*, you know, Mr. Ernie," continued he, with a hellish laugh. "You thwarted me once, but I'll now see who shall have the soft-skinned white girl, Mr. Kerne, of Reedyrill, or Matto, the nigger. By the Gods of hell, I would not have you killed now for worlds; your life is as precious to me as the apple of my eye."

I ground my teeth in a silent agony of rage.

They tied my hands behind me, Matto seized me by the collar, and the whole band set out for Mr. Iveson's house at a swift pace. We were reinforced soon after we started by Pete and Clark, a white man, whom, from his northern accent, I knew to be an abolitionist in disguise. The whole gang were armed with muskets, pistols, and axes. As we entered the back side of the orchard, and struck down a small pig-path which led towards the house, three more negroes came out from the grave-yard and joined us.

"What were you doing in the barn?" asked Matto, as he dragged me along. I would not deign to answer, and the hound struck me in the face.

"Answer, sir, when your *master* speaks to you, then."

At this brutal speech they all laughed.

"Yes, answer your master," said Cuff, who was evidently drunk; "we are masters, now I am your marse, Cuff."

The scoundrel Matto heaped insults and abuse on me, which I need not relate, and which none but a brute more base than the hog that wallows in filth would be capable of.

I thought of crying out, that I might haply alarm the inmates of the house as we drew near it; but Matto had my neckcloth in his grasp, and could have silenced me by one turn of his hand, so that I saw any attempt of the sort would be in vain, and only subject me to abuse.

When we got to the house, they noiselessly surrounded it; and, at a low whistle from Matto, who seemed to be leader, they were joined by four more negroes belonging to the plantation.

All was perfectly still within; no sound was heard but the murmured thunder in the distance, for a storm was evidently rising; no watchdog gave warning of the presence of the midnight murderers; those faithful guardians had been silenced by the slaves who belonged to the plantation. I looked up at Laurine's window, 'neath which I had thought to touch a light guitar and lull her dreams with music. What different sounds were to greet her startled ears! The jalousi was closed, and the dim light of her night taper glimmered through. Little dreamed she that the prelude of a horrible tragedy was enacting beneath her window. The back door of the

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A name more dreaded and hated by negroes than any other

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hall was not fastened, so secure was the honest planter of the fidelity of his household; this they all entered, placing a sentry at the door, and leaving me in the kitchen, the door of which they locked.

As soon as the key was turned, I sought about for some way to relieve my arms. A kitchen lamp, by good luck, was burning on the dresser; I turned my back to it, thrust my hands over it, and soon burnt the cord in two, not without burning the skin some also. I next seized the meat-axe, and the report of a pistol and a loud shout from the house lending nerve to my arm, with one blow I drove the door from its hinges; and swinging my formidable weapon over my head, rushed to the halldoor, brained the sentry, sprang across his body, and crossing the hall, I darted up stairs, three steps at a bound: the heart-rending screams which rang in my ears gave redoubled speed to my limbs. I made for Laurine's room, and gained it just in time to find her kneeling, half fainting, on the floor, in a white muslin night-gown, her hair flowing in wild disorder, her face deadly pale, and her dimpled hands clasped in agony, while the ruffian Matto was grasping her snowy arm in his black horny fist and dragging her along towards the door. With a blow of my axe, into which I lent all my strength, I dashed him to the floor. Hearing cries of the old squire and his wife, I had barely time to lay Laurine on the bed, and then darted away to the room from whence the sounds came.

On entering the room, the most heart-rending spectacle presented itself to my horrified gaze: amid the smoke which filled the room, I descried the overseer lying on the floor, his head mashed to a jelly—a literal mass of blood, brains and hair—you could not distinguish a feature. A negro was lying across his body, with a huge gaping wound which had ripped open the entire length of his abdomen; he appeared to be one of several who had, at the head of the overseer, rushed to the rescue as soon as they heard the firing and outcries. Just as I entered the room, the brute Cuffie was grasping the silver hair of his aged master in one hand, and in the very act of bringing down upon his unprotected head the heavy iron gavel which he held in the other. I caught his arm in time to prevent the blow, but at the moment I did so, I received a singing thump on the ear from behind, which staggered me to the ground. In the very act of reeling, I saw Bol, Chunk, and their party, enter the door and fire a volley, which filled the house with a deafening roar, upon the crowd of insurgent slaves, who, cursing and slashing about, were swarming in the room. A slave, struck by a ball from Bolivar's rifle, fell across me as I dropped to the floor, and the hot blood from his shattered temple poured over my face.

"Oh, God!" cried Chunk, who was fighting like a tiger at bay, on observing me on the floor, and my face covered with blood, "they have killed my brother! Murder them, Parker; don't let one escape; shoot 'em down like hogs. Oh! my brother, my Ernie, I shall revenge you." And at the moment of his speaking, he made his sabre ring on the flinty pate of the goggle-eyed negro, and sliced off his *face* as though peeling a turnip.

Bolivar, with drawn sword, was cleaving their thick skulls right and left. And Parker, pointing at a thick bunch in a corner, discharged on them both barrels of an enormous blunderbuss, which reverberated through the room like a cannon, and dropped four at once, five, counting Parker, who was also smitten to the ground by the reaction behind.

All this time the rebels were not idle, but fighting manfully; for the

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cowards were at bay, and they saw it was fight or die, for our men would not listen to cries for quarter. Meantime I came to my senses just time enough to snatch a pistol from the floor and send a ball into the ear of our friend Parsons, who was snapping a revolver at Topeliff. I shook off the dead body that lay across me and joined the fray. Parker acted like a hero, and saved my life two or three times.

Even amid this scene of bloodshed and horrors, I could not resist my inbred propensity for romancing. When a lurid blaze of lightning—for now the storm had burst upon us—lit up the room with its wild glare, the scene almost charmed, though it thrilled me with horror. What a strange unearthly hue it gave to the faces there assembled! I watched how the quick play of its eccentric motions through the clouds was reflected on the upturned face of the dead man, who was stretched on his back with his hands griping the wound on his breast, as if in the agony of dying he was trying to stop the outgushing of the life-tide from his heart. The demoniacal grin which the lightning's play seemed to create on his distorted lips and clenched teeth made me start with its life-likeness. There was the gray-headed master with his face buried in a clotted pool of his own blood. There lay his aged wife across him, whether dead or fainting, I knew not, but the expression on her countenance of wild agony was dreadful. The frenzied, yet suppressed fury that sparkled in the eyes of my brother as his sword flashed in its descent on the head of a miscreant slave, and his usually quiet gentle face so changed by rage, and the deadly pallor which overspread it, that it scarcely seemed the same. The cold, collected Bolivar, levelling a pistol at the heart of one whose musket was pointed at his own, with as cool an aim and unruffled a countenance as if he were shooting a squirrel. The hazy smoke from which loomed these impassioned and furious faces—the flashing blades, gushes of fire, and the blood and powder stains—all was revealed to me by the flash of lightning in one glance, and that flash daguerreotyped it upon my heart forever!

Then came an eyesearing darkness, a bursting, deafening peal of thunder, and all was over—the tragedy was ended. Bolivar had taken advantage of the momentary gleam of light—for the moon had vanished and somebody had knocked down the candle—to shoot the last insurgent who remained on his feet.

THE BLOODHOUND HUNT.

But although we had no more on their feet, we found no less than five who had fallen on their noses and pretended to be dead; these we turned over to Parker, who tied them hand and foot, and kicked them very unceremoniously into the apple cellar, and locked the door on them. It had taken scarcely ten minutes to master the rascals, some of whom did not even know how to re-load their muskets after they had discharged them.

When a candle was brought to the room, we found that squire Iveson, his overseer, two of the three negroes who were with him, and five of the insurgent negroes, as well as the man Parson, had been killed upon the spot. Clark, my former overseer, was mortally wounded, and lay groaning on the table.

On lifting up Mrs. Iveson, it was found that she was not dead, nor even wounded, but only in a swoon, from which she was soon resuscitated.

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"Oh, Cuff," murmured she, as with her long, gray hair falling tangled over her wrinkled, and now haggard and terror-struck countenance, "Oh, Cuff," how could you be so cruel as to murder your poor master, who treated you so kindly. Oh! my husband,—my child—oh! Laurine, have they murdered my darling—my beautiful girl?" And she burst into a frantic fit of tears.

Thus called to my remembrance, I darted from the room to seek Laurine. When I got to her room, she was gone, and the slave Matto also! Gone! I gave a maniac howl of grief and despair,—my head turned round, my eyes grew blind, my senses forsook me, and I fell upon the floor as if I had been shot.

I cannot say that I fainted, for a sort of stupified consciousness did not leave me, and I heard and saw Bolivar and my brother rush into the room, attracted thither by the noise of my fall. In a moment after, Parker came running in, exclaiming, "Here she is,—we've found her." It acted like a charm on me, and I revived almost immediately. Laurine, half-distracted with terror, had ensconced herself in the parlor. It seemed strange to me. I had depicted Laurine as of the heroic cast, who would have been in the fray almost undaunted, when knowing that her parents were being murdered; but so far from showing heroism, her reason nearly succumbed to the fearful shock her feelings had sustained.

A stream of blood readily gave us the clue to Matto's movements: we followed it out of the house, and down across the orchard, when, owing to the darkness and high weeds, and the imperfect light of our lanterns, we had to give it up.

"Parker," said Bolivar, with his usual thoughtful foresight, "Gallop over to Colonel Overton's and bring over his bloodhounds—we can then trace the scoundrel." "Yes," said I, "we must not let him escape. I thought certainly I had killed him as dead as Julius Cæsar. I struck with the fury and force of a grizzly bear." "It was you that hit him, then?" asked Bol, with an expression of gratitude on his face, greater than I thought was called for by the circumstance. "Your aim was, doubtless, so furious, that it was ill-directed."

"I knocked him in the head."

"Pshaw, don't you know that a negro's skull is proof against anything less than a bullet?"

"It would have felled an ox."

"Doubtless, but not a negro."

As Parker mounted a horse, and dashed off, just at that moment the moon burst out from behind the dark clouds, and defined the dense endless black shadows which they were sweeping over the scene, revealing the old building's dark outlines, the rain-drops brightening on the trees and shrubbery, and the groups of negro women and children, who had all assembled from their quarters, and now, full of fear and sorrow and terror, were clustering about, wringing their hands, weeping, and uttering low wailing moans, which was peculiarly distressing and mournful. Cuffie's wife was crying and going on dreadfully over the body of her dead husband; and old Esther, who was bathing her young mistress's temples with vinegar, was praying aloud, and interspersing her prayer with sobs and ejaculations. "Oh, de rascal abolitionist, dey git po' nigger killed, and massa killed, and every body. Po' Jake killed, too, thank God, do' he killed fighting for he master. Bress de Lord, my son no abolition nigger. And po'

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Marse Fredel, when he come back, what he say to all dis—boo—oo—oo." At this moment a little negro came up to us, saying, "Master, Mr. Clark, he dying, I believe, want to see you, he say."

We found the poor wretch placed on a pallet, and sure enough, about breathing his last.

"Oh! Mr. Ernie, I am going to die. I want to free my conscience of a load of sin—"

At this moment we were interrupted by the entrance of two personages, one of whom proved to be Dr. Montmery, who had been brought from a neighbor's, where he had been visiting a sick child. Munro fortunately knew that he was there, and rightly conjecturing that there would be cracked skulls to mend before the night was over, had posted off for him. The other was Father Claude. "Doctor, I fear you are too late; but Father Claude, you are just in time," said I, to the latter, "to administer the comforts of religion to a poor fellow who is about leaving this world. Clark, Father Claude is a Catholic, but he is a good pious man, and his prayers will do you good."

"Father Claude, I've been told by some folks that the Catholics are very bad people; but it may be because they are your enemies, and I know it is hard for enemies to do justice; but, anyhow, I know you are a good man, and I had rather have your prayers than some I know, and I am not in a condition to choose."

The holy father knelt by his bed-side, and offered up a devout and beautiful prayer to heaven, for mercy and compassion on the sufferer.

It seemed to comfort the poor fellow very much; and when finished, he made a full and free confession of all his enormities; in the first place he owned to have burned my tobacco-barn.*

He said that the insurrection was at the instigation of himself, Parsons the abolitionist, and a man named Warfield. Their scheme was to delude the negroes into the belief that they were to gain their freedom by the massacre of the whites, but that their object really was to break open stores, banks, and dwelling-houses of the wealthy, get all the booty they could, and decamp while the excitement and confusion was at its highest, and leave their duped allies, the negroes, to be slaughtered by the enraged whites for their abortive attempt at an insurrection. He declared that the conspiracy was confined to the county, and that the leaders, among whom was Matto, had never entertained any idea of a successful rebellion.

Doubtless, the villainy and fanaticism of the abolitionist Parsons, and the motive of personal revenge and gratified passion in Clark and the mulatto, had assisted to influence them to engage in this infatuated scheme, which, thanks to the lucky accident already mentioned, proved in the end utterly an abortion.

And it was by another piece of providential good luck that any outbreak whatever, was prevented in the village, which was to have been the principal centre of operations. A negro was stationed half-way between Reedyrill and the village, in a little clump of bushes three or four hundred yards to the right of the road between the two places, with the rockets which were to be the signal for commencinng operations, and was instructed, whenever the upper edge of the moon cut against the top of a certain tree, that he was to send them up.

* I learned from him an explanation of the mysterious reappearance of Mulatto Mat.

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It chanced that Father Claude, who had been spending the evening with a friend, started out to Colonel Overton's about ten o'clock the same evening on our worthy friend Nubbin. Now it came to pass on this wise: just as Nubbin and the Father came to a hickory tree which stands in the middle of the road, about a mile from town, a loud, unearthly clapping of wings was heard in the self-same tree, and a dark, ponderous bird issued therefrom. Father Claude was inclined to the opinion that it was a harpy, but I think it might be a buzzard. At all events, Nubbin was sorely affrighted thereat, and incontinently took to his heels, and his heels diverged from the roadway to the bushes, and through the bushes they went helter skelter, as if the very devil was after them. It so chanced that the pony struck right for the spot where the negro conspirator was stationed with his rockets, and who was in the very act of discharging one of them, when a tearing, tremendous clatter in the bushes arrested his attention, and the apparition of the flying priest, with streaming hair and blazing eyes, burst upon him, and so filled him with terror and dismay, that he involuntarily dropped the end of the rocket-stick, so that, instead of sending the signal into the sky, it shot between the pony's legs, blew up under his tail, shot him and his rider ten feet into the air over the negro's head, knocking out a handful of his front teeth, *in transitu*, and away again three hundred yards farther before he could stop him.

Of course the negro thought it was the devil himself, and instead of shooting up any more rockets, he took to his heels, went home, and hid in the hayloft, where he remained ensconced until he was scented out by the bloodhounds who were put on his track towards morning.

Those in the village, who were instructed not to commence till the rockets went up, were surprised, disheartened, and struck with a panic, for fear their plot had been discovered; and this so disconcerted them, that they did not strike a blow.

In the mean time Col. Overton and Parker rode up to the yard with the bloodhounds, two noble, but ferocious animals, of enormous size and strength. Bolivar, Topcliff and myself mounted for the chase,—of all sports—if I ought to call such barbarous work sport at all—the most exciting and full of interest. They were led into the yard, their noses put to the bloody trail, unleashed, and away they broke with a fierce whining yelp at every bound, and occasionally, as they snuffed up a stronger scent, giving vent to a quick, short bark. It shocked me to see the terrible eagerness with which they went to work.

In a few minutes they were both out of sight, and we set off after them at a hard gallop.

After half an hour's gallop through the wet and tangled bushes, by the light of the moon, which seemed all the fresher and brighter by her recent obscuration, a deep prolonged bay to our right announced that the game was "treed." We turned our horses' heads thitherward, and the sounds growing nigher and nigher at every step, we descended a deep hollow through which Reedyrill's gentle stream crept slowly through the tangled maze of reeds and hazels, until we came to a rocky bank in which was a cavernous aperture, such as are frequently found in our hollows—known, this one, as "Possum Den;" it was one of those openings in the limestone stratum already described, only this one had a shelving mouth, instead of being a perpendicular hole. At this we found the dogs barking savagely, and on a shelving rock, just inside the den, keeping the

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hounds off with his long knife, was Matto crouched, with fiery, glaring eyeballs, like some wild beast at bay.

"Don't shoot," cried I to the colonel, who immediately levelled his rifle at him; "for mercy don't shoot him; I want to reserve him to be burned alive on a slow fire. Shooting is too good for him."

"Why, Ernie! derned if I believe you will ever get a little touch of the savage out of you, though it has now been ten years since I found you in the wilds of Missouri, up a tree, like a confounded 'varment,' as you were."

"True, by thunder, sir," said I fiercely, my blood seethed with rage at the sight of that arch foe of me and mine. "Remember, vile hound!" shouted I to him, "I've thwarted your villainy, and I will do it again." And I shook the sabre I held in my hand at him, in the crazy fury that I was in.

The fiendish scoundrel suddenly sprang to his feet, on the rock on which he was perched, glared an instant at me with an expression of the intensest hatred and rage on his hideous features, now smeared with blood, seized his knife by the point of the blade, and spun it through the air with such precision of aim, that it whistled by my very ear, and stuck quivering into a tree just behind me.

The very act of throwing it caused his foot to slip its hold, a fragment of the rock gave way, and he fell headlong to the ground, which he hardly touched before the two huge dogs sprang like hungry ghouls upon him, and before one of us could get to the spot, they tore him limb from limb!

As soon as we could we dragged the dogs away, but there was not a particle of life remaining, save the quiver of his muscular frame.

"It is a just fate for him," said I, as we muzzled the dogs and rode away; "I could scarcely have found a more fitting punishment."

"Oh! Colonel, who have you left at Reedyrill with the women?" asked I, suddenly recollecting them for the first time during the exciting scenes of the night. I knew that our own negroes were reliable, from what I had overheard at the barn; and from that moment until now, so many thrilling occurrences had trod on the heels of each other, that they had almost passed out of my mind.

"Why, Lenora is over there, and my overseer, Carter."

"And I sent Jacobson back just now," added Toppy.

"By the way, Colonel, was there any disturbance on your plantation?"

"To be sure there was. I have been absent from home all day, and just got back a little after dark; and, as I saw none of the men about the house, I thought I would just put my horse up myself, as I sometimes do; so I rode around to the stable, when who should I see sneaking into the crib, in a very suspicious manner, but yellow Jabe. Now, thinks I, here's something in the wind, certain: Jabe is stealing my corn, the rascal. I wonder how he got the key. Well, I got down and goes into the crib after him, and by all the ladles of lead in hell, there was Jabe and another big buck nigger belonging to Shelby Bradshaw, named Josh, in there, with a musket a-piece. 'Hallo, boys,' says I, 'what the devil are you going to do with them muskets?' Well, they hummed and hawed, and were hard put to it for an excuse: at last Josh said, they were going to hunt wild turkeys. Well, I never dreamed of anything, you know, and I could'nt imagine what in the devil they were so confused about; so, says

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I, what are you doing here in the crib—and—hallo, Jabe, what the blazes is that sticking in the waistband of your breeches? and lo, you, on pulling aside his jacket, peeps out two thundering flint-lock horse-pistols, that belonged to my great-grandfather! Darn it, I never was so much astonished in my life."

"Of course you were not," said I, laughing.

"No; and to cap it all, Josh, he fingers a mean-looking knife, about ten inches of blade, and made it whiz so near my throat, that it shaved off my left whisker, and a *leetle* part of my ear too, as clean as a barber would have done it."

"And how did you get out of it, Colonel?" asked Bolivar, seeing that the Colonel came to a stand here, and seemed unwilling to proceed.

"Why, to tell you the truth," said Thompson, one of the Colonel's overseers, who was along, "he jumped out at the crib door and cut dirt like a scared rabbit! Ha! ha! ha! Beg pardon, squire, but it was so funny. I think I can see him now. I, by good luck, came up from the fur quarter jist the minute that the Colonel came tearing around the corner of the stable, and the two niggers hot foot after him, banging away with their muskets—at least Jabe did, and the Colonel popped ten feet perpendicular into the air when he let fire at him! Ha! ha! ha! By golly, I could hardly hold myself for laughing, though I didn't know what the devil was to pay. I picked up a brick-bat, however, and jerked it into Jabe's woolsack, and sprawled *him;* but then here comes 'tother with his fusee pointed 'gin him too; old boss had time to dodge behind a tree that stands in the yard, though, before he could shoot, and then they had it—who but them? The nigger he dodged him around that tree for full fifteen minutes before I could hold up laughin' long enough to do anything."

Of course we had a long and hearty laugh at this ludicrous rencounter of the colonel, who seemed not to relish the joke much.

"The fact is, boys, I jerked up a scythe to fight them with, and made a wipe at yellow Jabe's cucumbers that scraped off half a foot of the rind; but when Josh poked his bayonet into my ribs, it was more than flesh and bones could stand, so I even toddled off as fast as my two legs would take me."

"I hope you were not seriously hurt, my dear Colonel?" I asked.

"Oh! not at all. But what the deuce is that yonder now?" he suddenly exclaimed, in a loud half whisper. "There, by blood, yonder is another of those rascally chaps," and he pointed with his finger to a tree some twenty yards ahead of us, standing out somewhat in the moonlight, and up which a dark object was scrambling, squirrel-wise, in hot haste.

"Hallo, there! you black rascal!" hailed the Colonel, as we spurred up. "Come out of that, or I'll put a bullet through your damned pumpkin," and he levelled his rifle.

The words were scarcely out of his mouth before the thing dropped to the ground, with a dull, heavy *thud*, as though it had been shot, and rolled over and over like a hedgehog—all in a lump. Shuffling itself up, at length, it advanced a few steps towards us, and then falling on its knees, in a supplicating attitude, exclaimed in the most piteous tones—

"Oh, Lordy! Massa Colonel, sweet massa Sebe, don't kill me; don't let de hounds loose, for God's sake, good marster—oh, *dear* marse Colonel, *don't* shoot po' nigger."

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"I will, you Ethiopian imp, you rebellious Lucifer!" and *clinck, clinck*, went the hammer of the gun.

"Oh, mussy, marster, don't shoot, *don't* shoot—I no belious Juniper. No, I aint, marster. Why, its *me*, lord! its nobody on de 'uth but po' *me*."

"Who the devil *is me?*"

"Lordy mussy! don't you know Marse Ernie's Sam? 'fat Sam,' dat stays at de fur quarter. I just come out in de woods to hunt possum."

"I don't know any such person," replied his tormentor, who had recognized him as soon as he spoke. "Ernie, have you got a nigger named Sam?"

"Yes, but that's not him; I think its Edmond's Wyatt."

"So it is: I know him now; one of the worst rascals in the county."

"Lor' de mussy! dat you dar, Massa Ernie? don't you know Sam—your own Sam—your own poor nigger what feed hogs for you ebry night an' morning, and for yo' fader before you, now nigh thirty years gone? I no Edmund's Wyatt; no, indeed; I whip him next time I see him, for being like me—a black rascal."

"No, you wont get a chance to see anybody again; down on your marrow-bones, you lousy dog; (he was already on them,) I am going to shoot you. I know you, how dare you tell me you are not Edmond's Wyatt?" and the Colonel cocked his eye along the barrel, as if taking dead sight on him.

"Lordy, Lordy!" cried the poor negro, at the top of his voice. "Wait till I say my prayers; if you will shoot me, lemme say my prayers," and he began whining—"Now I lay me down to sleep.—Our Fader who art in hebben.—Oh! Now I lay me down to sleep—if I should die before I wake—Oh Lord! take dis nigger to him arms; he po' nigger—been mighty wicked—Lord forgive him. Here I go! Good-by, moder—good-by, old aunt Rachel; good-bye, massa Ernie—good-bye, hogs; poor Sambo nebber feed um any mo' now.—Boo-hoo-oo!——"

Bang! and as the Colonel fired into the air, down tumbled Sambo on his nose.

"Oh, I'm dead; I'm dead!" and we fairly roared with laughter at the comical terror of the poor negro. It was some time before we could convince him that he was really not killed, or, at least, mortally wounded.

It was now past two o'clock, and as we were within a hundred yards of Reedyrill gate, the Colonel thought that we had all better go home and go to bed. I was somewhat anxious about my home folks, so we sent Thompson and Parker back to Black Oak, to act as a guard, and Colonel Overton, Bolivar, my brother, and myself, rode into the park and made our way home.

I found Aunt Eliza, Mrs. Overton, Floralie and Flower, in the back-parlor, sitting by a blazing big fire; Old Rachel with them, and Jacobson, and Ned, the cook, standing sentry at the door, each with an enormous blunderbuss. Aunt Eliza and Mrs. Overton, each armed with a carving knife, and Aunt Rachel brandished the shovel, with Flower crouched in her lap, while Floralie was laughing heartily at the whole batch.

They set up a simultaneous scream of joy as we entered the room, and

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then ensued such an amount of hugging, and kissing, and laughing, and crying, as was never seen before; the row was tremendous. Mrs. Overton hugged her husband, Aunt Rachel charged upon Parker, Flower took Toppy by storm, and Floralie was agitated, for the first time, when she saw me covered with blood, and exclaimed, "My God, Ernie, you are wounded." I had to convince her that her fears were groundless; and Aunt Eliza, who was never behind-hand on such occasions, finding everybody else engaged, made an attack upon Bolivar, who bore it very good-humoredly.

"Oh, you don't know how terribly frightened we all have been! The first thing we knew of it was when Bolivar came back after Toppy and the overseer, and they all armed themselves in such haste. They could not conceal from us that there was something wrong going on, though they tried hard to do it, and wouldn't tell us what was the matter. And after they went away, telling us there was no danger, Louisa, the chambermaid, came running in half scared out of her senses, and says, 'Oh! Miss Nora, I tell you all what it is—I heard Massa Bolivar tell the overseer that the niggers was rising.' Oh, then want we all scared, Eliza fainted, and all of us came near doing so except Floralie, who said, 'Aunt Nora, *our* negroes wouldn't rise, I know—and didn't Bolivar and Toppy tell us there was no danger to us? Do you suppose that they would leave us in any danger?'"

"Florie is a little heroine," said I, with an approving glance.

"Come, sir, you need not make fun of my 'spunk,'" said she, smiling. "Aunt thought that it was going to be a general rising, like that terrible Southampton insurrection in Virginia; but I believed it to be an affair of Mr. Iveson's negroes alone."

"I haven't learned which it was yet?" said Aunt Eliza, inquiringly.

"It was rather more extended than Mr. Iveson's plantation," replied the Colonel, "but confined to this part of the county. You know, Lenora, that one or two of my negroes were concerned in it?"

"No! which?"

The Colonel related his narrow escape in the affair with Jabe and Josh, which set all to laughing, and then gave a detailed account of all the thrilling circumstances of the night, and it was at a very late hour that we bade each other good-night.

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POLITICAL PORTRAITS WITH PEN AND PENCIL.

MAJOR GENERAL JOHN E. WOOL, UNITED STATES ARMY.

A PROMINENT feature of American character is the wonderful facility with which the man embraces the opportunity, the instinctiveness with which genius avails itself of an opening for its development, and the rare energy with which it displays itself amidst the most discouraging circumstances. Never was a nation more affluent in men of genius, and never were institutions more admirably adapted to their scope. In every practical department of life, the highest intellect has been found equal to the most trying exigencies. Hence it is, that whether upon the land, or on the ocean, in the machinery of industry, of legislation, of defence, or of conquest, in every branch of practical science, America has taken the lead, and offered the world examples of the greatest excellence. In the rapid advance of the civilized world during the last half century towards the amelioration of the condition of the human race, some self-taught American intellect has prompted each important step, and consolidated each forward movement; and the recent campaigns in Mexico have shown the world how even the horrors of war may be softened, and desolation of conquest converted into blessings, by the military skill and administrative genius of American commanders. In this view, the Mexican campaign of General John E. Wool will stand out in history as a model campaign.

General Wool is emphatically a self-made man. Every step of his promotion has been gained by substantial services, and nothing by favor. Feebly supported by professing and lukewarm friends, and opposed by calumniators and enemies, he has forced his way without faltering over the roughest paths of life, with a firm step and a stout heart; and, without being trumpeted into a transient notoriety, has cut his path to glory with his own sword. Although he has been his own schoolmaster, yet it must not be understood that he disdains to swell the volume of his knowledge from the humblest as well as the highest sources. Without other military education than the instincts of his own genius, he left the counting house at the darkest period of our military history, and, almost by his single arm, turned the tide of conquest, raised our drooping banner from the dust, reanimated the troops, and revived the hopes of the nation; subsequently, for twenty-five years, he was, as inspector general, the "backbone" of our military system. He kept up the efficiency of our little force, and, when the army of occupation was trembling on the brink of destruction, his incredible energies prepared, in six weeks, the material of succor and of conquest, and then pressed forward at the head of a column, nine hundred miles into the heart of an enemy's country, without spilling one drop of blood; yet converting enemy's into friends by protecting them, not only from the rapacity of his own troops, but from the inroads of savages; acting the part of leader, conqueror, pacificator, protector, administrator, and dispenser of justice; and leaving on his path peace, security and plenty, all of which were before strangers in the country, crowning his campaign by the display of a combative genius and a fiercer energy in conflict, for which the considerate kindness of his march had prepared neither friends nor foes.

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The ancestors of General Wool emigrated early to New-York, and, at once, became devoted to the interests of their adopted country. James Wool, the grandfather of the Major-General, a respectable farmer, lived on his own farm in Schaghticoke, in the county of Rensselaer; and when the Revolutionary War commenced, was almost on the frontier, and exposed to the incursions, not only of the Indians and the British from Canada, but to the depredations of the Tories, with which the country abounded, and whose feelings were much embittered against the patriots, to whose principles he was enthusiastically attached. Under such circumstances, he frequently carried arms into the fields which he cultivated.

Of the sons of James Wool, five bore arms in the war of the Revolution. Two were made prisoners at the capture of Fort Washington, and underwent the horrors of imprisonment in the New-Jersey Prison-ship. One died of his sufferings, and the other barely escaped with his life. Another was a Captain in Lamb's Regiment of Artillery, and went with Montgomery in his expedition to Quebec. Afterwards he was under the command of Washington in New-Jersey; and in one of the battles in that state he was so severely wounded, that for a long time he was unable to do duty. Another—the father of Major-General Wool, was with Gen. Wayne in the storming of Stony Point. Another was with Stark at the battle of Bennington, and another of the name, a great uncle, was one of the Committee of Safety in the city of New-York in the early part of the Revolution, and afterwards an Alderman of that city.

General Wool was born at Newburgh, Orange county, and had barely completed the fourth year of his age, when his father died. He was then taken into the family of his grandfather. During his residence with him, he attended a common country school. At the age of 12 years, with a scanty education, he entered the store of a merchant in Troy, with whom he continued till he was 18, when he was induced to take charge of a book and stationary store, with the privilege of selling merchandise on his own account. He thus continued until his hopes were blasted by fire, when he entered upon the study of the law, at the office of John Russell, an eminent lawyer in Troy, and pursued with great assiduity the study of the law for more than one year.

At this period there were strong indications of a war with Great Britain, and Congress authorized an additional force of 25,000 men. The expectation of war induced Wool to seek an appointment in the army, when, on the recommendation of Governor Clinton and others, he was, in the spring of 1812, just before the declaration of war, appointed a Captain in the 13th Regiment U. S. Infantry. He immediately entered upon the duties of his office, and after recruiting his company, joined his regiment at Greenbush, where he continued till September, when the regiment was ordered to the Niagara frontier. On the arrival of the regiment at Onondaga, five companies, under the command of Lieut. Col. Christie, were detached and ordered to Niagara by way of Lake Ontario.

The success of the allied armies in Europe against the immortal French emperor had imparted a color of invincibility to British arms, and there were not wanting the usual base tools of tyranny operating through the pulpit, prostituted as on recent occasions, to the schemes of English intriguers, to lend effect to that delusion, and to attempt, by internal strife, to prostrate the country at the feet of England. An unfortunate series of events had aided to discourage the people and to dishonor the flag. The

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declaration of war found the country unprepared for defence, with a large party in the country in the British interests; nevertheless, the war commenced, and the honor of opening the campaign was conferred upon General William Hull, upon whose unfortunate proceedings it is not here necessary to dwell. The fact was, that the nation's character was degraded, and a strong effort was necessary to retrieve its honor. It was at this moment that General Stephen Van Rensselaer determined to cross the Niagara River, storm Fort George, and carry the heights of Queenstown. The time fixed for the latter operation was October 13th, 1812. The American general Van Rensselaer had under his command at different points, about 5,800 troops—the British general, Brock, about 2,800; the head-quarters of the latter being at Fort George. On the morning of the 13th, about 3 'oclock, a detachment of 600 moved to Lewiston under Lieut. Colonels Chrystie and Van Rensselaer, but instead of finding boats for the whole detachment, there were only boats for one-half. The companies of Captains Wool, Malcolm and Armstrong were ordered to cross in one party, while Col. Van Rensselaer followed with another. As Captain Wool, the senior officer of the companies of the 13th regiment, landed, the British retreated. Meantime the colonel landed a short distance above the place where Captain Wool landed. Col. Van Rensselaer soon sent orders to Capt. Wool to advance on the heights and halt at their base, which movement was made. Whilst thus in line, waiting further orders, the 13th was severely attacked on its right flank, by a British party from the village of Queenstown, or from that direction. Captain Wool, without waiting orders from Van Rensselaer, ordered the 13th to the right fronting the enemy, who were finally repulsed and driven towards Queenstown; but not until they had inflicted a severe loss on the Americans. Of the 13th Infantry, Lieutenants Valleau and Morris, with a due proportion of non-commissioned officers and privates, were killed, and Captain Wool was shot through both thighs; Malcolm and Armstrong, and Lieutenant Lent, were badly wounded. Of the ten officers of the 13th in this action, only four escaped injury. Colonel Van Rensselaer having been severely wounded, and Chrystie not having crossed, an order was given to descend to the beach. Here the colonel sank to the ground, exhausted by the flow of blood, when Captain Wool, notwithstanding his wounds, volunteered to storm the heights. Van Rensselaer was unwilling to commit an enterprise so hazardous and important to the direction of so young an officer, who, until that morning, had experienced no actual service; yet, coerced by the necessity of the circumstances, his scruples gave way, and Wool received his orders. Being gallantly seconded by his officers, Wool commenced the ascent. Captain Wool, under the high excitement of martial enthusiasm, was insensible to physical suffering, or the pain of his wounds, and effected the ascent, apparently with as little difficulty as others. The soldiers, supporting themselves by their muskets, finally gained the eminence in rear of the battery, and this daring enterprise was crowned with complete success. A detachment of the 49th British regiment, which defended the battery, was driven down the heights, and the Americans took possession, and, at sunrise, the flag of their country, surmounting the works, proclaimed the triumph.

General Brock, aroused by these events, hastened from Fort George, gathered a large force, attacked Captain Wool's gallant band with such impetuosity as to force them to the brow of the cliff. This was a trying

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moment. Before them were the British veterans, to meet whom was a fearful odds—behind them was an almost perpendicular cliff, to be forced down which was sure destruction; and it is not strange that some hearts faltered. A dastard hand raised the white flag in token of surrender, but Captain Wool tore down this flag, made a manly appeal to his men, checked the panic, caused his little band again to become the assailants, and drove the British veterans down the heights. But General Brock rallied his troops anew, and again advanced upon the Americans. In doing this, however, he fell dead from his horse, when his men flew in every direction, leaving ten prisoners behind on the field.

Thus, after three bloody fights, this bold and daring enterprise was achieved by two hundred and forty men, instead of six hundred detailed for the service. Captain Wool formed his men on the heights, and was soon joined by other detachments. This was about ten o'clock. About two o'clock Lieutenant Colonel Scott—now General Scott—and others appeared, and took the command, while, after General Van Rensselaer arrived, Captain Wool was ordered from the field, his wounds dressed, and he returned to Lewiston.

These deeds were done by a young American officer, in battle for the first time, whose blood, during all these fights, was streaming from two wounds. It was no ordinary duty that devolved on him. In his first engagement he was surrounded with the direst perils of war, and saw it in its most terrific aspect. His bark was launched on the "sea of glory," when the storms were raging over its waters. Under such circumstances, not only the highest qualities of the soldier, but the nerve and energy, and martial enthusiasm of a hero, were indispensable to success. The American arms were saved from disgrace, and covered with glory, by the unyielding firmness of one man; and a moral example was given, which, like that of Bunker Hill, imparted its invigorating influence to all the subsequent transactions of the war. The light which spread its radiance over the plains of Niagara and New-Orleans, first dawned on the heights of Queenstown.

Official letters and the public journals abound with encomiums, on the gallantry of Captain Wool and his brave comrades. The National Intelligencer (1812) says: "Captain Wool, the hero of the heights of Queenstown, is twenty-three years of age. It is presumed he will be breveted or promoted."

This promotion immediately followed, for Captain Wool was made major. He continued in the army on the northern frontier and in the 29th regiment of foot, volunteering his services wherever there was danger to be met or duty to be performed. More especially did Major Wool distinguish himself by his usual coolness and intrepidity in the battle of Plattsburgh, in 1814, from the 6th to the 11th of September. The action at Beekmantown took place on the 6th, and Major Wool was its hero. General Macomb, while he was entrenching on the Saranac, ordered Major Wool to support the militia; and with 250 regular troops and the militia under Col. Miller, he kept the whole British column of 4000 at bay—fighting them inch by inch, and killing or wounding nearly two hundred of the enemy. General Macomb (Sept. 15, 1814) mentioned Major Wool's services, and recommended him to the particular notice of the government. General Mooers' general orders of Sept. 13, 1814—commander of the militia—were also full as to "the cool, intrepid and ad-

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mirable skill and good order displayed" by the regulars "under that excellent officer, Major Wool."

For his bravery on this occasion, Major Wool was breveted lieutenant-colonel. Well did General Viele say to General Wool, in an address made to him in 1848: "The bloody Saranac will never cease to murmur your praise;" and Governor Young, of New-York, in presenting him (1848) with a sword, remarked, that "the people of the whole country saw Captain Wool at Queenstown, marking his course with his own blood, and Major Wool, at Plattsburgh and at Beekmantown gallantly resisting, with 250 men, the whole British line, embracing 4000 regular troops." It was such noble gallantry that redeemed the stain that had been fixed on our national character, and gave such joy to the patriotic part of the nation.

The government at Washington felt the importance of such an officer as Colonel Wool, and in 1816 he was made Inspector General, he having selected that from three appointments offered him, because it offered the greatest scope for usefulness. In 1821 the office was enlarged from inspector of division to inspector-general of the army.

It was this long experience and indefatigable attention to business concentrated in General Wool, which made him the soul of the Mexican war, and produced those marvellous results from a volunteer force which have so astonished the world. It has been said in regard to our navy, that a more rigid discipline is necessary on shipboard, than in the navies of monarchical governments, because there is with us no rank on shore. That is to say, while in England the officer comes from a family which occupies a social position on shore far above that of the seaman, the habitual respect of the latter comes in aid of discipline. In the United States, nothing of the kind exists, but the social position of the subaltern officer on shore may be higher than that of his superior. So also in the army, a higher degree of discipline is necessary to sustain its efficiency for many reasons. This is peculiarly the case with the eastern division. It is distributed in small commands on a seacoast and inland frontier to the extent of thousands of miles; consequently, the troops being withdrawn from the immediate supervision of the chief commanders, require the greatest vigilance and attention to prevent them from relaxing into idleness and dissipation. In order to remedy this in some degree, the government arranged the districts into departments; and giving to each a responsible commander, all their commands were subject to the continued inspection of General Wool. In the course of these duties, he was required to visit every post, ascertain the exact condition of every company, its state of efficiency and discipline, and to examine into the causes of deficiency, whether physical or moral, estimate the capacity, habits and attention of each officer, and keep the government constantly informed of the means of improvement. It may be interesting to some of our military readers to glance at the nature of the reports rendered to the government at Washington, commencing in 1816. and running through a quarter of a century:

ARTICLE I.—CORPS OF ARTILLERY.

"No arm of the service is of more importance to this country, in peace or war, than the corps of artillery; and none requires so much the attention of Government. The very nature of its service contemplates essentially all that relates to the science and practice of war, including the duties of the engineer, the

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ordnance and the infantry officer, which connect it with the mechanic arts, as well as the materials common to all arms. Those circumstances, together with its occupation of the important posts on the seaboard, ought, at least, to make it the most perfect, if not the most efficient corps of the army. It is, however, to be greatly regretted, that the officers of this corps have not applied themselves more attentively to the study of this extensive branch of service. While many have been perfectly satisfied at an inspection with the exhibition of a good police, a knowledge of artillery drill, and the performance of a few infantry evolutions; the high duties of artillery, the due care and preservation of public property, and economy in the expenditure of the public money, have not appeared of sufficient importance to attract their serious notice."

DISCIPLINE OF BATTALIONS.

"First Battalion, commanded by Brevet Col. ———, composed of Capt. ——, ——, and ——, Companies. The first, Capt. ——, stationed at ——, was in good order; and the public property at that post, as far as practicable, in a state of preservation.

"The *second* was in bad order. The commandant, Capt. ——, has neither capacity nor industry sufficient to make a good artillerist; consequently, I have no hopes of his excelling as an officer, or of seeing his company in high order.

"The third, Capt. ——, was, as usual, in a condition wholly inadmissible, a stranger to discipline, without system, order, or regularity. As Capt. —— is under arrest, I deem it a measure of prudence to spare him for the present.

"The *fourth* excels in personal appearance, but deficient in a knowledge of artillery duty, and is perfect neither in police nor infantry drills.

"The companies of this battalion, collectively considered, can claim no merit or praise; on the contrary, most of them being deficient in most of their duties, deserve censure."

Throughout the whole army, embracing military academy, infantry, light infantry, artillery, cavalry, &c., the inspection of corps was carried to a great degree of minuteness. These inspections extend to all the public property, its condition, and the means of preserving it; while the expenditures of the government are ever carefully watched.

"The application of oil and paint to guns and carriages not in use, are not required oftener than once in two or three years, if properly applied in the first instance. At Charleston I examined a number of dismounted guns which had been cleaned and painted more than two years since, and although exposed during that period to the weather, they appeared as if only put in order a few days before. If all the guns on the seaboard, excepting three or four at each port, were dismounted, cleaned, and preserved in the same way, it would undoubtedly save the nation considerable expense."

A constant supervision is exercised over collateral influences upon the moral condition of the men, growing out of suttling, desertion, proximity to cities, &c.; also in relation to "commandants of departments," "quarter-master generals," "commissary-generals of provisions," and "hospital department."

In 1835, when General Jackson had determined that France should pay its old debt, an inspection was ordered of all the coast defences from Maine to the delta of the Mississippi; and the report of General Wool on that occasion develops a military and business capacity, together with a statesmanlike view of the necessities of the country, which is seldom or ever encountered in official reports. In 1830, he made a report on the expediency of erecting fortifications on the northern frontier. This he discouraged as a useless expenditure, showing that modern science has ren-

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dered fortified posts useless between contiguous nations. His report on the western defences, with reference to the economy of the cavalry service, and the best mode of supplying it with horses, contains a volume of information. The reports upon the Florida war are models of military criticism.

The reports made from time to time to the government by General Wool, are not only so exceedingly clear and correct in style as to attract the general reader, but they are fraught with the most profound and statesmanlike views, betraying a most comprehensive knowledge of affairs, and remarkable sagacity in estimating the consequences.

The report on the reduction of the army in 1830, is a model report. It was drawn up during those years of European revolution, which marked the accession of Louis Philip to the throne of France. We regret that we cannot give it room; but we cannot pass over one or two passages which are directly applicable to our present state of affairs:

"It must be obvious to all who reflect upon the subject, that the condition of nations must be that of alternate peace and war. It therefore follows as a self-evident truth, that a long continuance of peace indicates the nearer approach of war; and, instead of relaxing the efforts to sustain an efficient military organization, they ought to be increased in a ratio corresponding with the length of the peace. The period when a military organization could be relinquished with the least danger to the national safety, is immediately after the termination of a war. This is submitted as a general proposition. But the disturbances in Europe at the present moment, furnish, as I conceive, a strong additional argument for keeping our military organization as perfect as possible, and for increasing, rather than diminishing, our military force. Our peaceable relations with the nations of Europe are always endangered, whenever those nations are belligerent, and the United States neutral. It is then that little regard is paid to the neutral flag, and neutral commerce is constantly subjected to vexatious interruptions, and serious depredations. The flag is insulted; our citizens on the high seas are exposed, not only to the loss of property, but to personal indignities, and the violation of personal liberty; and the marauder of the ocean, to justify his outrages, points to the belligerent flag of his nation. Such wrongs and indignities, as a nation, we have encountered, and to such, in all probability, we shall again be exposed.

"It is impossible to foresee all the consequences which may follow the revolution in Europe. One thing, however is certain,—the chances of hostilities are every where increased, and no wise nation will, at such a period, deprive themselves of any part of their existing means of defence."

Again, in 1842, when in the midst of the dispute with England, there was discussion about the reduction of the army, the pen of General Wool on many occasions was powerfully and effectually exerted on the side of patriotism.

In 1832, the government dispatched General Wool to Europe for purposes of information connected with military science, tactics, and improvement generally. He was selected for this mission as having the right qualifications for the office. He sailed in the Charlemagne the last of June, 1832. He arrived in September, and was kindly received by the then "citizen King." He was one of his Majesty's suite at a grand review of 70,000 men, and 100 pieces of artillery. The minister of war conferred upon him power to visit all the military establishments of France; and directions were everywhere given to receive him with the most marked civilities. General Wool dined repeatedly with the King; and well would it have been for that prince, had he comprehended the republi-

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can hints he then received. But the loyal egotist replied, "De French peoples have now de very best government what they can have." The then famous avowal of Jackson, "to ask for nothing that is not clearly right, and to submit to nothing that is wrong," was unmistakably personified in Wool. In November of the same year, Wool was the guest of the King of Belgium, and with him reviewed 100,000 troops, and the famous fortifications of Antwerp. He was also present under the siege of that city, under Chasse.

In 1836, General Wool was ordered to the Cherokee country to remove the Indians to Arkansas. This duty he performed in a manner every way satisfactory to the whites, and without giving cause of complaint to the red men; and upon disbanding the Tennessee volunteers, who had acted under his orders, they addressed to him the most flattering testimonials of respect.

In connection with this mission, the governor of the state of Alabama thought proper to charge upon Wool an "attempt to usurp the power of civil tribunals" in that state, "trampling upon private rights," &c. In consequence of this, a court of inquiry was, at his own request, ordered, General Scott presiding. The finding of the court was not only an honorable acquittal, but the facts developed redounded greatly to the honor of the general. It also gave him the opportunity of making that masterly defence which has added so much to his reputation. The removal of a body of men like Indians, from a country where they have been settled, in such a manner as to preserve the peace and protect all parties in their just rights, is a matter of exceeding delicacy, and the government showed its judgment in selecting Wool for a duty which required the exercise of such high faculties of the mind. That bad men, whose designs upon the rights and properties of others, should trump up malign charges against the inflexible justice which frustrated their schemes, was but natural. The result was, however, highly gratifying, not only to the friends of General Wool, but to the government, since his defence developed, in some degree, the breadth of his vast administrative capacity, his just conception of the spirit of his mission, and the promptness and precision with which he executed it. The full legal consequences of his acts, the high moral sense of his responsibilities, and the firm course with which he assumed them, are finely displayed. He develops a character of the true Jackson stamp. The government decided upon a rigid execution of the treaty, and Wool was the man to do it; and he did it with an integrity of purpose, decision, and vigor, that Jackson could not have excelled.

During the Canadian difficulties, in 1838, and the grumbling of John Bull, General Wool was employed on a military reconnoisance in the wilds of Maine for the defence of the frontier. This duty, of extraordinary difficulty under the circumstances, was performed under the guidance of that clear perception of what is right, and that iron will in its enforcement, totally regardless of consequences, which is so characteristic of Wool, and that assimilates him in so marked a degree to General Jackson.

This long practical experience in almost every branch of the country's service, an acquaintance with the means of defence which the country possesses, and administrative qualities which fall to the lot of very few men to acquire or exercise, were combined in him.

General Wool is not the man to shrink from any service which his country may require at his hands, or the call of her constituted authorities.

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His activity, promptitude, methodical habits, and decision of ch aracter are too well known to need specification, and these qualities make him as indefatigable a man of business as he is an intrepid and scientific soldier.

Such was the man of pre-eminent abilities, and so experienced, who became efficient in supporting the government when the Mexican war took place. To his industry, address and energy, in organizing, inspecting, and mustering into service, 12,000 men from six different states, in six weeks, and pouring them down to the support of the enveloped column of Taylor, and leading a portion of them on his immortal march of *nine hundred miles* through an enemy's country, and effecting a junction with Taylor, without losing a man; organizing and drilling the united command, selecting the frontier of Buena Vista, and promptly occupying it in the face of the advancing Mexicans, may the great success of that war be attributed.

It is not necessary here to enter into the causes of the Mexican war, either in respect to those remote ones growing out of the misconduct of a nation doomed to destruction, or those immediate ones which, growing out of mismanagement on the part of the leader of the army of occupation, precipitated hostilities. While General Taylor was creating difficultries for himself through want of sufficient capacity to understand the nature of his position in Texas, he was constantly discouraging the employment of volunteers. His reiterated reports to the government, continued even while danger was thickest around him, were all in opposition to the calling out of troops, running in this wise:

"Corpus Christi, *August* 30, 1845.—That communication will, I trust, reach New-Orleans to-night or to-morrow, in time, I trust, *to stop the employment of any more volunteers.*"

"*September* 14, 1845.—In view of the large reinforcements of regular troops ordered to join me, I cannot believe that *it will become necessary, under any circumstances, to employ volunteers from the United States.*"

"*October* 4, 1845.—It is proper to add, that, should any auxiliary force be required, I propose to draw it *wholly from Texas.* I do not conceive that it will become necessary, *under any circumstances, to call for volunteers from the United States.*"

"*October* 15, 1845.—Three hundred recruits *are now wanted* in the regiments and detachments here."

"*February* 4, 1846.—*I shall not call for any militia force* in addition to what I already have, unless unforeseen circumstances shall render its employment necessary."

"Matamoras, *March* 29, 1846.—Under this state of things I must again, and urgently, call your attention to the *necessity of speedily sending recruits* to this army. The *militia of Texas are so remote from the border*, that we cannot depend upon their aid."

"*April* 15, 1846.—*I shall further authorize the raising of two companies of Texan mounted men* for service in this quarter, *particularly for the purpose of keeping open our communication with Point Isabel.*"

"*April* 26, 1846.—I have this day deemed it *necessary to call upon the governor of Texas for four regiments of volunteers;* as some delay must occur in collecting these troops, *I have also desired the governor of Louisiana to send out four regiments of infantry* as soon as practicable. If a law could be passed, authorizing the President to raise volunteers for twelve months, it would be of the greatest importance to a service so remote as this."

"*May* 3, 1846.—Owing to the peculiar nature of the country, and our deficiency in the *proper description of light troops, I have been kept ignorant, to a great degree, of his* (the enemy's) movements."

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This last letter is dated May 3d, and twelve days after it was written, Gen. Wool, then in the midst of his arduous duties at his head-quarters at Troy, New-York, received an order to repair to Washington. From this moment the military preparation became animated and efficient. In order the better to estimate the extraordinary activity, energy and skill with which this veteran soldier entered upon the execution of his new duties, we shall state his movements chronologically. August 25th, 1845, he had orders to concentrate troops for Corpus Christi, to be drawn from Boston, Portland and Portsmouth, to New-York. On the 26th, the orders were all transmitted. The whole arrived, were mustered, and paid off on the 31st, and ready to sail, but the ship was only ready on the 2d. On the 15th of May, 1846, he received orders to repair to Washington. He reported himself at the War Department in 48 hours. May 30th, he received orders to proceed to Cincinnati, to organize and muster into service the volunteers from Kentucky, Tennessee, Ohio, Indiana, Illinois and Mississippi, which had been required by the President. On the 5th of June he was in Columbus, holding conference with the Governor of Ohio. On the next day he opened correspondence with all the governors, generals, colonels, and regimental officers on one hand, and the War Department on the other. Moving between Cincinnati, Louisville, St. Louis, Memphis and Alton, he was everywhere efficient. He was the only man present who formed any conception of what was necessary for an invading army.

"It is impossible," said the general, in a communication to the War Department, "for the volunteers to get along without experienced staff-officers. They know nothing about the service. I assure you we have few among them that know any thing about any duty which appertains to furnishing supplies. From the colonel down, they do not know what they want, or what is necessary for the comfort of the troops, or to make them efficient for the field. I have been obliged, in anticipation, to supply all their wants."

The general gave himself no rest; he was compelled to perform duties which really appertained to subordinate officers of various departments. He kept a vigilant and almost sleepless eye over every branch of the service, from the artillery department down to the nosebags of the horses and the medicines of the hospitals. During the revolutionary war, such an amount of actual labor was never thrown on a general officer. He was compelled to listen, and did listen with patience, to the countless complaints of the volunteers, and endeavored, as far as possible, to redress them, if well founded; and in all cases, to soothe and keep them in good humor. In restraining the ebullitions of a temper naturally fiery and impatient, he discovered great forbearance and self-command. Familiar with every branch of military service in all its details, the address and management with which he encountered the difficulties that beset him, discovered an accurate knowledge of human nature, and of the mode of reconciling the most in dependent and the most refractory spirits, but little accustomed to restraint and to the subordination of the camp. The volunteers soon learned that he was not one to be dallied with, and that in all things where he had the right to command, he would be obeyed; he was no trifler, and they soon were convinced that he exacted nothing but what was just; and if he refused indulgences to them, he allowed none to himself. Even his reputation as a severe disciplinarian did not extinguish the desire to serve under his command; for they were well assured, that when opportunities occurred, he would give full play to their enterprise and martial spirit.

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By the 11th July, General Wool had prepared, in all its details, an army of 12,000 men. That is to say, in six weeks, or in less time than it took General Taylor to find out whether he wanted volunteers or not, General Wool, almost alone, had converted 12,000 citizens into an efficient army. When this was completed, July 11th, he received an order to turn over his command to General Butler, and to repair to San Antonia, Texas, there to concentrate the troops that were to form his column of march against Chihuahua. Without a moment's rest, he set out. July 15th, he was at Alton, Illinois, inspecting the Illinois regiments. Eleven days after, July 26th, he was at New-Orleans, giving a multitude of orders to procure wagons, horses, mules, munitions, and all the supplies for the forward movement. August 1st, he was in Lavaca, Texas, disembarking the troops, looking after supplies and munitions, reviewing regiments, and perfecting full instructions to act after his departure. August 14th, he was in San Antonio, where he was to concentrate the troops of his column, and whence, after his own incredible exertions, he was compelled to write, August 15th, to General Taylor:

"I find," said he, "neither men, munitions, nor means of transportation, which to a certain extent, it was confidently believed, would have preceded me. If the troops under Colonel Harney had been here, it was my intention to have proceeded at once to the Rio Grande, to select a point near the Presidio for the establishment of a depot."

These difficulties, his immense activity and indomitable will, overcame. With but few staff officers, he did most of the duty himself, even that of quartermaster; collected supplies, sent instructions to expected troops, and took efficient measures to protect both Mexicans and Texans from the daily inroads of savages. As the troops came up, the indefatigable general set himself to form an army out of corps that met each other for the first time. He rose early, and retired late; he indulged in no amusements, but devoted every hour, except the few in which he sought some rest by sleep, to the service; and by incessant exertion, he began by degrees to form the excellent but inchoate materials of the column which he was to lead into Mexico, into shape and consistency.

He anxiously sought information in relation to Chihuahua, and the road thither. All the accounts confirmed, in a most discouraging picture, the difficulties of the route; nevertheless, General Wool, with 622 regulars, and 2,339 volunteers, the larger portion of those which he had mustered into service, having been sent in admirable order to General Taylor, commenced his perilous march, September 26th. October 8th he reached the Rio Grande, making his own road through hills and over streams as he went. The Rio Grande was 270 yards wide, and was passed by a flying bridge, in face of a small Mexican force, and on the 11th the invading army marched forward, under an inspiriting address from General Wool. On the 24th October it entered Santa Rosa without resistance. Santa Rosa is at the base of the mountains, which can only be passed on the road leading from Saltillo to Chihuahua. The city of Monclova, with 7,000 inhabitants, was reached October 29th. Thus a march of 600 miles had been accomplished in 36 days. At this place the hands of General Wool were tied by the absurd armistice of Monterey, which was for 27 days. This time was spent in the most incessant duties, drilling the troops, perfecting their discipline, reconnoitering the country, collecting in-

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formation respecting the movements of the enemy. The extent and accuracy of the information thus acquired, and the clear manner in which the state of affairs was stated by him, procured an abandonment of the Chihuahua expedition. Having ascertained that the Mexican troops at Chihuahua had fallen back to Durango and Zacatecas, and that nothing was to be gained by going to Chihuahua but conquering distances, and that Santa Anna was concentrating all the available forces of Mexico at San Luis de Potosi, for the purpose, as he said, of driving the barbarians of the North across the Rio Grande, if not the Sabine, General Wool, on the 1st of November, wrote to General Taylor and urged him, if he had authority, to abandon the expedition to Chihuahua, which was already conquered, "and concentrate his forces and not allow Santa Anna to beat him in detail." He again wrote to the General on the 12th and 13th, repeating what he had previously communicated; and again on the 19th, at the same time to Major Bliss, his Assistant Adjutant General, and sent these communications by his Aid-de-camp, McDowell. In his letter to Major Bliss, he says, "delays are dangerous. This is the favorable time for operating against the enemy. Take time by the forelock and push on before the enemy collects too large a force to bring against us. Urge the General to concentrate his forces. Do not allow the enemy to beat us in detail." At this time it was ascertained that at least 15,000 men were concentrated at San Luis, and daily increasing. General Taylor having received instructions from the Secretary of War to withdraw Gen. Wool's command from Chihuahua, if he should deem it advisable, transmitted to the latter by his Aid-de-Camp an order to occupy Parras, which he did on the 5th December. Mean time, trusting to his own resources, with the self-reliance of a great captain, he "cut the cord" of his communication, by ordering the companies to join the army in front, and on November 24th resumed his march. On the 26th he received notice that the Chihuahua expedition was abandoned, and also orders to occupy Parras, 180 miles from Monclova, 100 from Saltillo, and 150 of Monterey, which he occupied December 5th; and the admirable manner in which this city was governed by General Wool, endeared him to its people. At this time Taylor was at Monterey, and Worth at Saltillo. Wool had orders, that in case Worth should be menaced, to proceed thither and assume command; and Worth having sent notice of the approach of Santa Anna and solicited aid, Wool, with his column, was in motion to join him December 17th, in two hours after the receipt of the notice. It may be remarked, so excellent had been his management, that only 14 of his men were too sick to march, and the ladies of Parras contended for the privilege of nursing them.

On the 21st of December, Wool encamped at Agua Nueva, twenty-one miles in advance of Saltillo, and fourteen in advance of the memorable field of Buena Vista; thus completing a march of *six hundred miles*, through an enemy's country, not only without shedding a drop of blood, but having conquered the *hearts of the enemy*.

In the course of the march, his army had levelled hills, filled ravines, constructed bridges, crossed rivers difficult of passage, and sandy plains, scaled mountains, and finally, in eighty-five days, including twenty-seven lost by the unfortunate armistice of Monterey, encamped at Agua Nueva, the advanced position of the army of occupation, in high health, scarcely losing a man on the march, and in a state of discipline which was the

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admiration of all military men. His column was so thorough in its appointments, that it was the model of an army: it wanted nothing; and with the means then existing, was able to keep the field a year. All this had been accomplished by unceasing vigilance, by an irresistible energy, before which the most formidable obstacles gave way; and by a system of admirable military diplomacy, which enabled the commander to feed his army from the resources of the country, and to sustain his credit by the undeviating honor which characterized his conduct in all his engagements, and the prompt manner in which he fulfilled all his stipulations. The annals of history furnish no instance of such a march as General Wool's: no disasters occurred; nothing was lost, and the army was brought out in fine condition at the termination of this stupendous march, and the military ability of the commander was too plainly manifested to be controverted. He had shed no blood, converted enemies into friends, and was in all places received as a protector rather than as a conqueror. Slander was silenced; and the restless spirit of envy, if not quelled, was quieted.

Compare this with the *friendly* marches of Wellington in Spain, as described by an English historian:

"Five hundred of the rear guard, under Cole, chiefly of one regiment, finding the inhabitants had fled, according to their custom, whichever side was approaching, broke open the houses, plundered, and got drunk. A multitude were left in the cellars of Valdemors, and two hundred and fifty fell into the hands of the enemy; and the excesses committed by some of the soldiers were glaring, and furnished proof that the moral conduct of a general cannot be fairly judged by following in the wake of a retreating army. On this occasion there was no want of provisions, no hardships to exasperate the men; and yet I, the author of this history, counted, on the first day's march from Madrid, seventeen bodies of murdered peasants. And a shallow observer might thence have drawn the most foul and false conclusions against the English general and nation."

So far Colonel Napier, upon a march of Wellington, three hundred miles in a friendly country. Now, General Wool marched six hundred miles through an enemy's country, and so far from any outrage having been committed by his men, the safety and morality of the townspeople had never been so great, as during his presence, and this was entirely owing to the high character of the General. What did General Wool when he approached a town, even a hostile one? He protected the persons and property of the inhabitants from any ill usage on the part of his own men; he even rescued some captives from the Indians who infest Northern Mexico; he saw that every thing got by his soldiers from the Mexicans was fairly paid for; in fine, he kept his division in such excellent subordination, that not a single family was obliged to flee at their approach, or had occasion to dread the outrages which so often—we had almost said invariably—attend invasions, whether gratuitous or provoked.

Napier endeavors to screen Wellington from blame for his incapacity to command, but the condemnation of that officer is found in the example of Wool. Let us now throw together the dates since Wool got his order in May:—

May	15,	1846,	received order to go to Washington
"	17,	"	reported in Washington.
"	30,	"	ordered to Ohio.
June	5,	"	at Columbus.

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June	6,	1846,	at Cincinnati.
July	11,	"	12,000 men organized and mustered.
"	15,	"	at Alton, Illinois.
"	26,	"	at New-Orleans.
Aug.	1,	"	at Lavaca, Texas.
"	14,	"	at San Antonio.
Sept.	26,	"	marched with army organized
Oct.	8,	"	at Rio Grande.
"	24,	"	at Santa Rosa.
"	29,	"	Monclova, 600 miles.
Nov.	24,	"	marched, after 27 days' armistice.
Dec.	5,	"	before Parras, 780 miles.
"	17,	"	marched.
"	21,	"	at Agua Nueva, 900 miles from Lavaca.

In seven months he left his home, created two armies, one for Taylor and one for himself, travelled 2,000 miles, organized 3,000 men into an invading force, marched 900 miles and encamped, as the advanced guard of the American force, at Agua Nueva. But the indefatigable man thought not of rest; as soon as his army, arrived on the 21st, was encamped, he left with his staff the next day, the 22d, for Saltillo, found Generals Butler and Worth sick in bed, learned from them the state of affairs, and with the dawn, December 23d, started for Agua Nueva Never for a moment was his intellect idle. When the party reached Angostura, which they had passed in a thick fog the previous evening, Wool halted, and after viewing the ground, exclaimed: "This is the spot of all others I have yet seen in Mexico, which I should select for battle, were I obliged with a small army to fight a large one. The network of deeply-worn channels on the right will completely protect that flank, and the heights on the left will command the road; while the ravines in front, which extend back to the mountain on that side, will cripple the movements of the enemy, should he attempt to turn that flank."

Wool, in his conversation, enlarged much on the superior advantages of this as a battle field. Carleton communicated his opinions to the officers of the camp, many of whom visited the spot, and all concurred in the opinion of General Wool.

December 26, General Butler assumed command, and, for some reason, ordered General Wool to fall back to Encantada. There he remained some weeks in a situation which was unfavorable to the efficiency of his corps. On the 21st January, General Butler proceeded to Monterey, and thence to the United States, an event which placed the troops in and near Saltillo under command of Wool. Immediately active preparations were commenced. General Lane, governor of Saltillo, received full instructions for the defence of that city, and Captain Webster was ordered to complete a field work, and occupy it with two 24 pound howitzers. This work commanded the city, and incessant exertions kept the command in fine order. January 30th, the reports of the movements of the enemy and the appearance of large bodies of cavalry in the neighborhood of Saltillo, aroused General Taylor at Monterey, who, in opposition to the advice of General Scott and the War Department, established his camp, February 5th, at Agua Nueva, with the intention of there fighting the Mexicans. February 10th, General Wool followed with Lane's brigade, leaving Major Warren with four Illinois companies to hold Saltillo. General Taylor now placed the whole camp under the command of Wool. His own troops were in a high state of discipline; not so with the volunteers

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under General Taylor. The army had been weakened by the withdrawal of the regulars for the service of Scott's campaign, and the volunteers of Taylor required the skill and activity of Wool to improve their efficiency. That general, although complained of by the volunteers for his alleged too strict discipline, was nevertheless respected for his own indefatigable industry and manifest genius. These qualities, as is always the case, ultimately secured him the admiration of the troops after they had learned to appreciate the value of discipline.

"And each day's improvement gave evidence of his indefatigable exertions, as well as the aptness and intelligence of the volunteers, who were taught under his superintendence."

The great difficulty with General Taylor was his mental and physical indolence. When he had once imbibed an idea, no matter how erroneous, nothing but positive blows would induce him to relinquish it. He had a notion that the large army at San Louis was destined for Vera Cruz; and he would not relinquish it until Santa Anna was capturing his wagons. As late as the 14th February, in a communication to the Adjutant General, he says:

"Rumors reach our camp from time to time of the projected advance of a Mexican force upon this position, but I think such a movement improbable."

It was, however, his determination, if the Mexican chief should attack him, to meet him at Agua Nueva. From the 30th January to February 20, there were constant rumors of the approach of 20,000 to 30,000 Mexicans; and every American officer was convinced of the truth of those reports, except Taylor. He did not believe the Mexicans were coming to Agua Nueva, but was fully determined to fight them there, if they did come. On the 20th, the actual advance of the Mexicans dispelled one illusion, and with that fled another, viz., the ability to fight at Agua Nueva. He had been there three weeks, never doubting that it was strong battle ground; when the Mexicans were actually upon him, he reconnoitered, and found it could be turned; then, for the first time, he listened to General Wool. He writes himself, March 4:

"Not exactly liking my position, having ascertained that Santa Anna could gain my rear by two roads on my right and one on my left, and deeming it prudent not to divide my forces, and having apprehensions about my supplies, which were in Saltillo, I determined at once to fall back towards that place about 12 miles, and occupy a strong position between two spurs of a mountain with a narrow valley between them. Said position had been closely examined by the topographical engineers under the eye of General Wool, who deemed it admirably adapted to meet a large with a small force, as well as adapted to the description of force which composed our army.

The statement that the engineers had examined the pass was not true. General Wool alone had examined it, and his advice had, under the illusion that the army would fight at Agua Nueva, been utterly neglected until the moment of retreat, which took place on the evening of the 21st, 14 miles, to Buena Vista. Colonel Yell was left at Agua Nueva, to bring off or destroy the provisions which there was now no time to save. McKee, with the Kentuckians and a section of Washington's artillery, were stationed at Encantado, to cover the retreat of Yell. The army arrived at Buena Vista on the evening of the 21st, and Taylor immediately continued his march with the Mississippi regiment, Sherman's and Bragg's batteries, (eight guns,) and May's dragoons, that is, all the

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troops that had ever been in battle, to Saltillo, five miles further in the rear: thus leaving Wool, with 3,000 raw troops, to meet the enemy pouring down from Agua Nueva, flushed with supposed victory, capturing wagons, and driving before them the American advanced guard. Wool knowing his ground, promptly set to work to stem the enemy's advance.

The farm of Buena Vista is five miles from Saltillo, on the road to Agua Nueva, which runs through a narrow valley, formed by two ranges of mountains. A branch of the river Tigre flows through this valley; and one mile and a half in advance of Buena Vista, is the pass of Angosturo. On the right of this pass, and between it and the mountains, the river had worn a net-work of deep channels, which were impassable for any troops. On the left of the pass were a succession of plateaux separated by deep ravines, and forming tongues of land, stretching from the mountains to the road. The most elevated of these tongues approach the road the nearest, and form, with the river, the pass La Angosturo.

The whole American army consisted of the following troops:

UNITED STATES ARMY—FEBRUARY 22.

	Companies.		Numbers.	Sick and absent.	With the colors.
1st Dragoons,	2	Steen	133	15	118
2d "	2	May	76	—	76
3d Artillery,	2	Bragg—Sherman	150	1	149
4th "	1	Washington & O'Brien	117	6	111
		Regulars	476	22	444
Arkansas cavalry,	10	Yell	479	62	417
Kentucky "	7	Marshall	330	43	288
Mississippi rifles,	8	Davies	368	10	358
2d Kty. infantry,	10	M'Kee	571	27	544
1st Indiana,	10	Lane	603	70	533
2d "	10	Bowles	650	65	585
1st Illinois,	8	Hardin	580	32	548
2d "	8	Bissel	573	48	525
Texas volunteers,	1	Conner	61	4	57
Spy company,	1	M'Culloch	27		27
Total volunteers,			4,283	360	3,933
Grand total,			4,759	382	4,377

Of these, four Illinois companies, 290 men, and Webster's artillery, 80 men, making together 370, were at Saltillo, and Taylor had taken thither the 2d dragoons, the 3d artillery, and Davis's regiment, together 547 men; deducting these 917, leaves 3,016 men with Wool under arms.

As soon as Taylor left, Wool ordered Hardin to throw up a parapet on the right and left of the road, and also one across the road, where Washington's battery of eight pieces was stationed, and that was the key of the position. Santa Anna having passed Agua Nueva in the night, was before Angostura early in the morning of the 22d. Wool notified Taylor, who was at Saltillo, of Santa Anna's approach. He also marched his troops forward, and occupied the pass. Directly in rear of Washington's battery, was Col. M'Kee's 2d Kentucky regiment; on the right, two companies of the 1st Artillery; on the left of the battery, six companies 1st Illinois, Col. Hardin; on the left of M'Kee the 2d Illinois, Col. Bissell; Gen. Lane, with the Indiana Brigade, was on the left, rear of the 2d Illinois, with Steen's dragoons in its rear; Marshall and Yell were with Gorman's rifles towards the mountain on the left. After all these dispositions were made, Taylor, at 10 o'clock on the 22d, arrived, and pronounced "the army in a position

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of remarkable strength." He brought back with him six Mississippi companies, and Sherman and Bragg's batteries of 7 pieces, having left one gun to guard his camp at Arispa's Mills, one mile from Saltillo, with two companies of the Mississippi regiment. On his arrival, Wool rode along the line, reminding the soldiers that it was Washington's birthday, and "he trusted no American soldier would disgrace it." The troops responded with great enthusiasm. At 11 o'clock, Gen. Taylor received from Santa Anna a summons to surrender, stating that he was surrounded with 20,000 men. This was declined, of course, and soon after the light troops of Ampudia were seen to ascend the mountain on the left. Wool immediately ordered Marshall, with Yell's dragoons and Gorman's rifles, to meet and check the movement. At the same time Gen. Taylor, by some strange fatality, ordered M'Kee's regiment, with two pieces of Bragg's battery, and Pike's squadron, across the gullies to the right, a distance of two miles, over a most difficult route. Knowing the impracticable nature of the ground, Santa Anna paid no attention to the movement. Three of Washington's pieces, and Bowle's Indiana regiment, had been also detached to the left. Having thus weakened the centre, and placed M'Kee *hors du combat*, in case of a vigorous attack of the enemy, at the close of the day, Gen. Taylor says in his report:

"I became convinced that no serious attack would be made before the next morning, and returned with the Mississippi regiment and the 2d dragoons to Saltillo, thus leaving the battle ground in charge of General Wool."

The troops bivouacked on the field, and slept on their arms. The night was stormy and intensely cold, and in the course of it, the enemy reinforced Ampudia in the mountains, with 2,000 infantry. At 2 o'clock in the morning, the American pickets were driven in. At dawn of day Ampudia again attacked the left, and was successfully met by Marshall, with Gorman's rifles. These Wool reinforced with Trail's Illinois rifles. At this moment, viz., dawn of day, Santa Anna organized three columns, one under Villamil, to attack Washington's battery by the road, and two others under Pacheco and Lombardini, to force the American left, and then join Villamil, on the Saltillo road. At the same time he established a battery of three pieces under the mountain, 800 yards from the American left. To meet this storm, Wool had less than 3,000 men. Thus there were at Saltillo 370 men; and Taylor further disposed of the following:

Marched to Saltillo, the only troops that had ever been in battle.		Marched to the right.	
Davis,	358	M'Kee,	544
Bragg, one gun,	20	Bragg, 2 pieces,	50
May's troops,	70	Pike's squadron,	150
Men,	448	Men,	744

Together make 1,562 men, leaving Wool in hand 2,815 men, with which to meet twenty thousand Mexicans.

Thus the small army of 4,600 was divided into three parties, and Wool met the storm as best he might. At 7 A. M. Villamil attacked by the road, and was repulsed by the most wonderful calmness and precision of firing by Washington's battery. They were so roughly handled, that they never renewed the attack. At the same time Pacheco and Lombardini attacked the left centre. Here they encountered Lane with Bowles, 2d Indiana, O'Brien's artillery, 3 pieces, Bissell's 2d Illinois, and Sherman's batteries. They were repulsed with great loss, and the new corps dispersed. At the moment of the dispersion of these corps, Lane ordered an advance,

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and Bowles, of the 2d Indiana, ordered a change of position, which produced panic and flight on the part of some of the men. In vain the gallant Bowles and Lane strove to remedy the disaster. The opening left by the departure of the regiment was seized upon by Santa Anna, who promptly organized and thrust in a new column, which broke the American line, compelling O'Brien to change position, by which he lost a piece. The Mexicans poured in upon the plateau, converging towards Washington's battery in great force. They were gallantly met by the 2d Illinois, part of the 1st Illinois, Sherman's battery, and M'Kee's Kentuckians, which had with incredible exertion been recalled by Gen. Wool from its idle position on the right, where it had been ordered by Gen. Taylor, but it was a long and difficult march back. This united force drove the Mexicans back to the mountains with great loss, but several thousands passed to the American left and rear.

At this moment Taylor got back from Saltillo with May's squadron, having left the Mississippi regiment to follow. These were the first three attacks. Washington's batteries repulsed one; the second, by the left centre under General Lane; and the last was repulsed by Wool's bringing from the right, and uniting with the others, the Kentucky regiment, where it had been so erroneously sent the night before. If Wool had had that regiment in hand to support the Indianians, the Mexicans would never have got upon the plateau, and the battle would have been terminated in a victory, before Taylor returned from Saltillo.* Or even had Taylor not kept the Mississippi regiment uselessly marching and countermarching, but left it where it wanted to be, viz., to meet the enemy, no disaster would have occurred. He marched that regiment from Agua Nueva to Saltillo on the 21st, from Saltillo to Angostura and back to Saltillo on the 22d, and again to Angostura on the 23d. That is to say, the regiment marched 40 miles without any object, and returned just in time to meet the Mexican rupture on the American left.

As we have seen, when Taylor arrived, Wool having forced the Mexicans to the mountains, he then hastened after the retreating Indianians. He overtook Lane, Bowles and Gorman wounded, and hastened in the direction of Buena Vista. At half distance he met the Mississippi regiment coming up. Col. Davis and Wool succeeded in rallying some of the Indianians behind the Mississippians, and they charged the advance of the column of Mexicans who had escaped to the rear, and forced them to the mountains. At the same time Torrejon, with a body of lancers, outflanked the Mississippians and attacked Buena Vista, whence they were driven partly over the mountains by the cavalry of Marshall and Yell, and the rifles of Trail and Gorman. Many of them regained the column in front of the Mississippians. At this juncture Wool brought up the 3d Indianians, some of the rallied 2d Indianians, and Kilburn's piece of artillery; these being joined by Sherman and Bragg with five pieces, drove back the Mexicans with great vigor. At this moment, General Taylor, with singular fatality, again played into the hands of the Mexicans. Santa Anna, to save that column from the blows of Wool, sent a flag to Taylor to know "what he wanted." Although the Mexicans never ceased firing, General Taylor entertained the flag, and sent Wool to meet Santa Anna. Although General Wool remarked that the officers denied that they came with a flag, he undertook the mission of course, but on reaching the battery of the Mexicans, as they refused to cease fire,

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Vide report of the Mexican Engineer.

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he terminated the parley and returned without seeing Santa Anna. After reporting the result of his mission to General Taylor, he returned to the left, and with the Mississippi and 3d Indiana regiments, and Sherman's and Bragg's batteries, set to work to repair lost time by renewing the action; and pursuing the Mexicans with great havoc, forced them to the mountains, where some 2,000 dismayed Mexicans became huddled together in the recess of the mountain. At this moment General Taylor was seized with compassion for the Mexicans, "and to save human life," sent Mr. Crittenden, a volunteer aid, to demand a surrender of the Mexicans thus huddled together in great confusion, and which Captain Bragg refers to in his report of the part he acted. The troops were ordered to cease firing, "and the Mexicans with the flag made their escape, and regained the plateau." As the retreating column came upon the plateau, Hardin, Bissel and McKee sent it flying towards the Mexican lines with great havoc. General Taylor was absent at this critical moment. He says, "I had left the plateau for a moment, when I was recalled thither by a heavy musketry fire."

Now, what had happened in this "moment?" Santa Anna had formed all his reserves behind the plateau, and as the Americans drove the rescued column before them, Santa Anna fell upon them with his whole line, and overwhelmed the American centre, driving them before him. This was the crisis of the battle, and it was saved by Wool, who, foreseeing the play of the Mexicans, as soon as Taylor had allowed the Mexican column to escape from the left, hurried Sherman and Bragg's batteries, with the Mississippians and the 3d Indianians, to the right. We may let Taylor describe what followed himself:

"I had left the plateau for a moment, when I was called hither by a very heavy musketry fire; on regaining that position, I discovered that our infantry (Illinois and Kentucky) had engaged a greatly superior force of the enemy, evidently his reserves, and that they had been overwhelmed by numbers. The moment was most critical. Captain O'Brien, with two pieces, had sustained this heavy charge to the very last, and was finally obliged to leave his guns on the field, his infantry support being entirely routed. Captain Bragg, who had just arrived from the left, was ordered at once into battery, without any infantry to support him; and, at the imminent risk of losing his guns, this officer came immediately into action, the Mexican line being a few yards from the muzzle of his pieces. The first discharge of canister caused the enemy to hesitate; the second and third drove him back in disorder, and saved the day."

The Mexicans were driven back, but made a show of returning. Gen. Wool rallied all the troops on the plateau, and concentrated them to meet him. But the attack was not renewed. Whilst this contest was going on at Buena Vista, Minon with 2,000 cavalry attacked Saltillo; but was repulsed by means of the arrangements previously made by Wool in that view.

It was confidently expected that the enemy would attack again the next day. Generals Taylor and Wool occupied the same tent—the former slept, while the latter was occupied the whole night with orders and supplies. At dawn he mounted his horse to reconnoitre, and discovering the retreat of the enemy, announced the fact to the troops, and reported it to Taylor.

That which presents itself most forcibly to the mind of the reader on reviewing the facts of the battle, is the universal agency of Gen. Wool.

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He foresaw all, planned all, and performed all, and his foresight remedied the mistakes which the mental inactivity of Taylor caused him to commit. First, the army was three weeks at Agua Nueva before Gen. Taylor ascertained that a battle could not be fought there safely, and became convinced of what Wool saw at a glance sixty days previously, viz., that Angostura was the point to fight. When concluded upon retreating in face of the enemy, he left Wool with the raw troops to meet the Mexicans, and took all the veterans with him to Saltillo. For what reason he went to Saltillo, has never been explained. He says himself, generally "to look after its defences." But Wool had put it in a state of defence thirty days previously; and Gen. Taylor in *those visits made no change in those arrangements of Wool;* but Minon was repulsed by Webster on the instructions issued by Wool to Major Warren. If there had been defences to look after, it was not the business of the Commander-in-chief to leave a battle field to look after them—he should have sent another. When he returned, he found the troops in line of battle. He pronounced "the position very strong." And all that he did, was to order McKee's Kentuckians two miles to the right, to a position where it was impossible for the enemy to attack. He did so, because he did not know what Wool knew, viz., that the nature of the ground rendered a force there useless. It was for the same reason that he remained so long at Agua Nueva, viz., that he had neglected to reconnoitre. Thus he marched 500 men ten miles for no other purpose than to weaken Wool's line of battle. The efficiency of the best troops was immensely weakened by their long, useless marches. He again returned on the 23d, only to save the Mexican column from the blows of Wool, by sending Crittenden with a flag—giving the enemy great advantage. At the final onset he was absent from the field, when the battle was saved only by the foresight of Wool. Twice the battle of Wool was marred by the inopportune orders of Taylor, involving great loss of American life.

As we have seen, on General Wool devolved the duty of creating the army which won that victory. Volunteers submit to military restraint with but a bad grace; and Wool, who imposed those restraints, was the object of dislike to the troops until they became soldiers; he was then the object of their admiration. No man, without the iron nerve of a Jackson or a Wool, would have borne up so long against this feeling.

They were at Buena Vista surrounded by an army of twenty-four thousand of the best disciplined, the most numerously officered, and the most veteran army ever raised in Mexico. Ten thousand of them, with Ampudia, had been under fire at Monterey, and there were officers and men who had fought against old Spain, and made civil war their pastime for twenty-five years. What would have been the fate of our brave and devoted little army, if discipline had been neglected? Probably in one hour they would have been thrown into confusion, and then, if the sanguinary design of the Suwarrow of Mexico had been carried out, seconded by his licensed assassins, the infuriated lancers—and his Cossacks, the rancheros—who were placed as additional outposts to cut off every straggler, and were all thirsting for blood and plunder,—not one man of our heroic band would have survived to tell the tale of horror.

It is not surprising, therefore, that we find not only a change of opinion as to the absolute necessity of discipline, but an outpouring of grateful admiration towards General Wool, for his steady determination in enforcing

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it, and his admirable example in directing it to the best advantage on the field of battle. He had known battle fields before. But the volunteers, with the exception of one regiment, had never been under fire. He knew that his sole dependence in the hour of trial would be from that self-confiding bravery which discipline alone inspires. Accordingly he had, from the moment his army was concentrated at San Antonio, in the latter part of August, until (after accomplishing a march of 900 miles) he presented them in front of Saltillo, on the alarm of General Worth in the latter part of December, and thence up to the very day of battle, directed the whole energies of a long military life to make his column not only the proudest model of an army in all its appointments, equipments and supplies, but the best in its discipline and military deportment. In this he did succeed, but it cost him his popularity with many of the volunteers. The temper Jackson encountered at New-Orleans before victory, was expressed prior to the battle of Buena Vista. They had dreamed not of the hardships of drill and subordination, of order and discipline, but of the romances of military marches and encampments; and consequently, as the Saltillo *Picket Guard* in its plain style says: "No General ever had so many curses for so few offences." But now, how changed is the language of the volunteers:

"I take back," says one of them in an Arkansas paper, "all I have said against General Wool." "Little as his column liked him before the battle," says another, "they all now admit that he is a splendid general." 'General Wool," says a third, (Telegraph & Review, Alton, April 9, 1,847,) "behaved most gallantly, and has earned all the country can do for him, besides the respect, esteem and admiration of his brigade, who, before the battle, had a long account of what they considered petty annoyances, treasured against him."

We would offer the following extracts from the reports of General Taylor and other officers, relative to General Wool at Buena Vista:—

Extract from the first Report of General Taylor, dated February 24, 1847.

"I may be permitted here, however, to acknowledge my great obligations to Brigadier General Wool, the second in command, to whom I feel particularly indebted for his services on this occasion."

Again, in General Taylor's detailed report of the battle, dated March 6, 1847, he says:

"To Brigadier General Wool my obligations are especially due. The high state of discipline and instruction of several of the volunteer regiments was attained under his command; and to his vigilance and arduous services before the action, and his gallantry and activity on the field, a large share of our success is justly to be attributed. During most of the engagement he was in immediate command of the troops thrown back on our left flank. I beg leave to recommend him to the favorable notice of the Government."

The following is an extract from the account given of the battle, by Major Coffee, one of General Taylor's staff:—

"General Wool led the main body in person, and was seen every where rallying and encouraging the volunteers." "The details of the battle were confided to General Wool, who nobly justified the confidence of his commander and brother veteran by the most active, zealous, efficient, and gallant conduct. Throughout the whole action he was constantly engaged in the disposition of our forces, and in rallying them to the onset. It is a miracle that he escaped the thick flying balls which thinned the ranks he was marshalling. There was but one complaint made against him, and that was, that he exposed himself too much."

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The following is a copy of a letter from General Lane to General Wool, on leaving the country:—

BUENA VISTA, MEXICO, *May* 20, 1847.

"DEAR GENERAL,—In a few days we are to take up the line of march homewards, and from my understanding of the law I am soon to be discharged, and I greatly hope that the cause that gave rise to my appointment may soon cease to exist. A speedy and honorable peace with this country is much desired by every American citizen.

"But, my dear general, I cannot think of parting with you without expressing my high opinion of your great worth as a military man. During the whole time that I have been under your command, I have found you prompt, faithful, and vigilant in the discharge of your duty; looking alone to the good of the service, and the honor and glory of your country.

"A strict disciplinarian, you have discharged your duty with ability, and an impartiality worthy a great man. Your exertions, as second in command, at the great and glorious battle of Buena Vista, moving to and fro in every part of the field, watching the movements of the enemy, exposed to danger almost every moment of the day, ordering and disposing of our forces in the best manner, to meet and repulse the enemy—by your exertions, coolness, and courage in gaining this victory, you have won laurels and a fame that will endure as long as the traces of American history shall exist.

"Hoping that you may live long to enjoy the thanks of a grateful people,
I remain, Sir, your most obedient and humble servant,
(Sd.) JOSEPH LANE, *Brig. Gen.*"

The Illinois Volunteers wrote to General Wool, as follows:—

"BRAZOS SANTIAGO, *June* 23, 1847.

BRIG. GEN. WOOL,—The officers and soldiers of the 1st regiment Illinois volunteers, on the eve of leaving Mexico for their homes, would do violence to their own feelings, did they not tender to their immediate commanding general a testimonial of their regard. Upon entering the service a year since, they were not prepared to appreciate the importance of discipline and drill, and consequently complained of them as onerous and unnecessary,—complaints were loud and many.

"Their judgment convinced, these feelings have undergone a change, and they now thank you for your untiring exertions to make them useful to their country, and a credit to the state.

"Whatever, sir, of service, we may have done our common country, or whatever of honor we may have done the state of Illinois, to General J. E. Wool is due the credit. You, Sir, brought your column into the field well provided for and disciplined, and fought them well when you got them there; and should our country ever again need our services in the field, it would be our proudest wish to again meet the enemy under the command of one, in whose energy, watchfulness and courage, we, and the whole army, have the most unlimited confidence.

"With the best wishes for your future fame and happiness, on the part of the regiment, we beg leave to subscribe ourselves your friends.

(Sd.) W. WEATHERFORD,
Col. 1st Reg't Illinois Vol's.
W. B. WARREN,
Lieut. Colonel.
and forty company and staff officers."

In relation to General Wool's conduct in the battle of Buena Vista, Lieutenant-Colonel J. S. Roane, of the Arkansas Volunteer Cavalry, says, in his report—

"On the morning of the 23d, the position of my command was designated by our gallant general himself, to whose cool and heroic courage, military judgment and commanding genius, I would add my humble testimony."

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Major A. F. Morrison, of the Illinois Volunteers, in a letter to his Excellency, Governor Whitcomb, relating to the battle of Buena Vista, says, that

"General Wool was next in command, and most diligently and valiantly attended to every department of the engagement. He is a brave and competent officer, and merits the gratitude of his countrymen for his services on this great occasion."

Captain Pike, a friend of General Taylor, in his sketch of the battle, says,

"General Wool has gained great credit. He made all the dispositions for the battle. He was cool, calm, and composed, and exhibited the most quiet and unpretending bravery."

Carleton, in his work on the battle of Buena Vista, says,

"Wherever the fury of the battle was greatest, there was General Wool, riding from point to point, encouraging and stimulating the men to still greater exertions."

General Wool, in his report of the battle, says,

"I cannot close my report without expressing, officially and formally, as I have heretofore done personally, to the Major General commanding, the feelings of gratitude I have for the confidence and extreme consideration which have marked all his acts towards me, which has given me additional motives for exertion, and increased zeal in the execution of the responsible duties with which I have been charged."

In a letter to the Hon. John A. Dix, General Wool speaks of General Taylor, as follows:—

"Of all the men I have ever seen in battle, he appeared the most calm. His cool and determined bravery, sound mind and judgment, which never forsakes him, even in the most critical moments, will ever command my admiration. His brilliant achievements from Palo Alto to the termination, at Buena Vista, will be appreciated by a magnanimous and generous people."

Letters of the same import, and some perhaps stronger, were written to the Hon. Francis Baylies, Daniel Webster, John Bell, William C. Rives, Lewis Cass, Joshua A. Spencer, General O. Clark, of New-York, and many others; and in no letter, public or private, touching General Taylor's conduct, has General Wool ever said less.

Colonel Jefferson Davis acknowledges the receipt of a similar letter, to General Gibson, in the following terms:—

"SALTILLO, 25*th March*, 1847.

"MY DEAR GENERAL,—I have just read with great pleasure the copy of your letter to General Gibson, which you did me the honor to send me this morning.

"It shall be preserved for the use permitted, and be assured, under circumstances requiring, that it will give me great pleasure thus to apply it.

In these times of petty jealousy and ignoble strife for public approbation, it is quite refreshing to see one so prominent in the scenes you describe, forgetting himself to sustain and commend his commander.

"With assurances of my regard,
I am, cordially, yours,
(Sd.) JEFF. DAVIS."

In looking back at the results of Wool's march, the moral influence of it was immense: as Taylor advanced on his line of operations, the people

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deserted their homes, flocked to the mountains, and became guerillas, with which the country swarmed, becoming daily more formidable. The advance of Wool, holding his men in admirable discipline, calmed the fears of the people. They soon found that the Americans committed no outrage, paid for what they had, protected them from the Indians, and introduced strict justice into the courts. General Wool ascertained also, that the guerillas remained under arms through fear. He promptly proclaimed amnesty to those who were peaceable. The consequence was, an immediate return of the people to their houses, and the guerilla chiefs found themselves without supporters. This was "conquering a peace."

He pacificated the country on Taylor's flank, and gave an example which stamps with infamy and incapacity the operations of Wellington in the Peninsula; whose ability manifested itself in brutal conduct and abusive speech. Having relieved Taylor from fears of the rising of the people on his flank and rear, Wool appeared in front with an efficient column, without the aid of which, Taylor must have retreated, when Scott drew from him the regular troops. The volunteers, who had made the loudest complaints against Wool for what they thought harsh discipline, expressed to him personally their deep regrets for their conduct, and offered to follow him the world over.

It may be remarked, that notwithstanding the many attacks which have been made upon Gen. Wool gratuitously by the friends of Gen. Taylor, that Gen. Wool, with great magnanimity, has never replied, directly or indirectly, or in any degree detracted from the merits of the Commander-in-Chief.

The unscrupulous zeal of many of Gen. Taylor's friends, have induced them from time to time to attack Gen. Wool, seemingly from fear that the merits of that officer should interfere with their claims on behalf of Gen. Taylor. It has been matter of surprise in some quarters, that no reply has ever been made to those slanders. But Gen. Wool seems uniformly to have resisted the desire of his friends to see justice done him in that respect. Content with having well served his country, he would not condescend to defend his own claims from mercenary detractors. He was too magnanimous to ever interfere with the civil triumphs of a brother officer.

Gen. Wool having been promoted to the rank of Brevet Major-General for distinguished and gallant conduct at Buena Vista, continued in command at Saltillo until November 25, 1847, when Gen. Taylor left for the United States, and the whole command devolved upon Wool, and so continued until June 5, 1848, when the Commissioners, Sevier and Clifford, communicated to Gen. Wool official notice of the termination of the war. The army was then put in motion. The general leaving Monterey June 20, reviewed the troops at Matamoras, July 4.

Gen. Wool arrived at Brazos St. Jago, in Texas, in July; and on the 20th, visited Point Isabel, where he was received with the usual military honors. On the 26th of July, he embarked in a steamboat for New-Orleans, where he arrived on the first of August, and was visited by the governor and suite, and other distinguished citizens. On the 2d, he left for Cincinnati, where he arived on the 12th, and on the 17th reached Washington.

General Wool arrived in the city of New-York on the 18th of August, where he was received by the Citizens' Corps, commanded by Colonel Pierce, and a committee of one hundred citizens from Troy. On the

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morning of the 19th, he was escorted by the New-York City Guards, the Troy Citizens' Corps, and a committee of one hundred, to the steamboat Hendrick Hudson, which the Trojans had chartered to conduct the general to their city and his home. On his way up the river the general was frequently cheered, as he passed, by the citizens on the shore; and especially at Poughkeepsie, Albany, and West Troy. On his arrival at Troy, he was greeted enthusiastically by the whole people, who had assembled to receive him. So great and dense was the assemblage on the docks, and in the streets, that several hours elapsed before he reached his residence, where he was affectionately received by his family and friends.

The city of Troy presented him with a sword, in testimony of her share of the nation's gratitude; and on this occasion "General Wool, standing alone, erect and dignified, his whitened locks apparently holding dispute with features upon which powers of endurance seemed written," made the following reply:

Friends, Fellow-Citizens, and Soldiers:

On my return from the war in Mexico, I find myself in your midst, unexpectedly in a new sphere of action. I find myself engaged in the delightful, but difficult task of responding to those spontaneous outpourings of the heart; those cordial and enthusiastic receptions which have greeted me, since my arrival in my native state. I had anticipated a welcome from my friends; but such a welcome as I received on landing in this city, and such as is now indicated in this vast assemblage, I neither anticipated, nor can venture to claim for mere public services. Much of it can only be ascribed to your partiality, to long-standing associations, to the companions of my youth, and the associates of maturer years, whom I recognize before me, and whose steadiness of friendship and kindness has never failed to cheer and animate me in the darkest hour. Such friendship has been especially dear to me during my more than two years' absence; for, there have been times, when, in the full consciousness of directing all the energies I possessed to the public good and the honor of my country, I found myself in situations where the encouraging voice of friendship was needed to cheer me under the heavy responsibilities which I was struggling to discharge. In the execution of those duties, I was sure to incur the displeasure of the discontented, and of those who could not appreciate the necessity of discipline. It would not have been difficult to flatter the love of indulgence and of ease, and to present the column I had organized and brought into the field of battle, in the garb, without the *discipline* of soldiers. But those who were at first most loud in their complaints, for my refusing to listen to that syren voice of popularity which would have extricated me at once from a labyrinth of unpleasant service, were the first in their acknowledgments, when convinced by the trial of a battle, of the mercy I had shown them in the very rigor I exacted to prepare them for the contest.

To you, the chief magistrate of this beautiful and enterprising city, my home and residence; and to you, the representative of the voice of its citizens, I make my grateful acknowledgments for the complimentary manner in which you have been pleased to present this splendid sword, as the common gift of the city and of its citizens individually. I receive it with a depth of gratitude which cannot be expressed by words. It is the testimonial of my own neighbors, my countrymen at home. It is the symbol of their appreciation of my character as a citizen and a soldier. Could ambition seek a higher reward? Could pride enjoy a nobler triumph? I can truly say, that I am more than compensated by this magnificent presentation and reception: this warm, glowing and heartfelt greeting, for all the toil, hardships, and dangers to which I have been exposed since I entered upon the duties that called me to Mexico.

The sword which I have received, I shall hold as the dearest gift of my life. If our country should again need my services in the field, and this arm should

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not become, by age, too feeble to raise itself in vindication of the natural rights, your confidence, as implied in this gift, shall be sustained to the fullest extent of my ability.

It is not necessary for me to follow the tenor of your addresses, by recapitulating the course of my action in the two wars to which you have alluded. History has recorded the events of the first: the future historian will embody the materials of the last.

In reference, however, to the battle of Buena Vista, to which you have so flatteringly alluded, my services prior to, and during that engagement, are sufficiently noticed in the official language of the commanding general, which you have quoted; and I agree with that distinguished officer, that "a soldier's share" is all that need be claimed in the glories of that memorable conflict.

Citizen Soldiers: It gives me pleasure to witness, this day, the beautiful order, equipment and appointment which you have displayed. We are an armed republic, but our arms are in our own hands. We stand ready to defend the public liberty, because it is our own. The world is awakened to the fact that a citizen-soldiery constitutes their own government, the strongest on earth. No large standing armies are here necessary. A small regular force, and a sufficient number of educated and experienced officers, may always be an expedient resource to give example and instruction.

I thank you, with a soldier's heart, for your attendance on this occasion; and, on your return to your respective homes, bear with you, and to your families, my best wishes for your prosperity and happiness.

And now, my friends, townsmen, and fellow-citizens, permit me to conclude my part in this interesting drama, by renewing to you all the sincerest expressions of my deep and heartfelt gratitude.

On the 10th of April, 1848, the following resolutions were unanimously voted by both branches of the Legislature of New-York:

Resolved, That the thanks of this Legislature are due, and are hereby tendered to our distinguished fellow-citizen, Brig. Gen. John E. Wool, for his valor, skill, and judicious conduct, conspicuously displayed in organizing and preparing for the service of his country, with unprecedented rapidity, more than 12,000 volunteers, in the summer of 1846; in disciplining the column under his command, during a rapid march through the enemy's country; disarming the enemy by his humane and vigilant observations of their rights; in the courage and good conduct displayed in the battle of Buena Vista, his uniform gallantry and activity on the field, and the ability and success with which he has since discharged his arduous and responsible duties.

Resolved, That the governor be, and he is hereby requested, to procure a sword, with suitable emblems and devices, and present it to Brigadier-General Wool, in the name of the people of this, his native state, as a testimony of their high approbation of his services.

Resolved, That the governor be, and is hereby requested to cause the foregoing resolutions to be communicated to Brigadier-General Wool, in such terms as he may deem best calculated to give effect to the purposes thereof.

The governor discharged the duty assigned him, by employing the most skilful artists in the city of New-York to manufacture a sword. Much taste and judgment were displayed in the selection of the emblems and devices, which were appropriate, and referred in a striking manner to the military exploits of the New-York general.

To recapitulate all the honors and congratulations bestowed upon Gen. Wool, would, however, fill volumes, and would not come within our scope. The military progress of the general may thus be resumed:

April 13, 1812—Captain, 13th regiment United States Infantry.
October 13, 1812—Major, 29th regiment, for gallant conduct at Queenstown.
September 11, 1814—Lt. Colonel, for gallant conduct at Plattsburgh.
April, 1816—Colonel of Cavalry and Inspector General.

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April 26, 1826—Brevet Brigadier General.
June 25, 1841—Brigadier General in the line.
February 23, 1847—Brevet Major-General, for gallant and distinguished conduct at Buena Vista.

In assuming the duties of Major-General, according to his new rank, Wool applied himself with unrelaxed energies to their discharge, without in any degree neglecting those social duties and interests which society claims at his hands. In September, 1850, on the completion of the monument to Silas Wright, at Weybridge, Vt., Gen. Wool delivered the address, which was enthusiastically received. In the following October he received an invitation from the Onondaga Agricultural Society, to attend the Fair at Syracuse. He was here addressed by the Mayor of the city, surrounded by many who remembered Wool as the wounded Captain, soliciting, upon his first field, permission once again to storm the heights of Queenstown, and retrieve the honor of his country's flag—men who had followed him through the immortal resistance at Beekmantown, and through all his arduous career, to the crowning fight at Buena Vista. The response of the general was enthusiastically cheered. On the 15th February, 1849, the corner stone of the Troy Hospital was laid, on which occasion Gen. Wool made the address. On the anniversary of this day in 1850, the Hon. D. L. Seymour made an oration, of which the conclusion was addressed to General Wool, in the following strain:

"I tender the congratulations of this occasion to him whose bounty has sustained and whose hands laid the corner-stone of this edifice. Your fame, sir, had already become the common inheritance of your countrymen. That military reputation which has for upwards of thirty years been steadily rising, requires, especially since the victory of Buena Vista, no more laurels. It has become a part of the imperishable records of our country's history, and will live whilst our nation and its name shall live. But even the splendor of a long and brilliant military career, enhanced should it be by still brighter honors (as you richly deserve) at the hands of your grateful country, will not outshine this one noble charity with which your name is identified. And, amid the thunder of popular applause, the "still small voice" of the obscure and suffering sons of sorrow, who shall here find relief, will be heard in grateful remembrance of their benefactor."

In August, 1851, on the occasion of the visit of General Wool to Buffalo, to review the 65th regiment, the common council determined to pay a tribute of respect to the "Hero of Queenstown, Beekmantown, Plattsburgh, and Buena Vista." After the review, the general, escorted to the hotel, was addressed by the Mayor, and replied in an admirable speech, which should be written in the hearts of all Americans. We append an extract:

"But these great improvements and advancements in civilization, are not limited to Western New-York. They are to be found everywhere throughout the length and breadth of the land. To what may all these blessings be attributed? To a kind Providence, our form of government and free institutions, which leave the people free and unfettered by power. It is in this country, and this country alone, that man is a free agent. Here there is no power to restrain him except he be guilty of crime. All his faculties, mental and physical, are at his disposal. He walks abroad in his own majesty, and there are none to make him afraid. He neither feels nor fears power, or those appointed to administer the affairs of government. He may travel from Maine to California and Oregon, and no one would have a right ts ask him, "Why do you so?" To all which may we not attribute the advancement of the people of the United States in improvement and civilization beyond all others? And yet, with all these unparalleled privileges

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and a prosperity unknown to any other people, we find those among us who are not satisfied. Strange as it may appear, we have a few discontented spirits who would dissolve this glorious Union established by the sacrifice of so much blood and treasure, and with it our prosperity, and forever blast the hopes of the oppressed and liberal of the world. They are, however, so few in number, that I do not apprehend any serious results from any efforts on their part to accomplish their objects. The signs of the times, nevertheless, are sufficient to admonish us that eternal vigilance is the price of liberty. As we are a nation composed of states or sovereignties, with diversified interests, it ought not to surprise us if they should occasionally clash. In such a case, what should be our duty? Conciliation and harmony, and a strict adherence to the constitution, and faithfully carrying out all its provisions, at the same time doing all in our power to prevent discontent and heart-burnings, which, if encouraged, will do more than all else to endanger the Union and destroy our hopes and prosperity."

In all his replies to the numerous invitations with which societies, philanthropic, educational, religious and political, besiege him, the same earnest strain of devoted patriotism, ardent love of country, and enthusiastic zeal in the cause of human liberties and progress, are manifest. The writings of General Wool, if collected in a volume, would form a book of extraordinary interest and value in respect to the history of the country. They contain not the mere dry detail of official reports, but are fraught with profound views and reasonings in relation to subjects of national interest; and they disclose the workings of an intellect of a high order, operating upon habits of most extraordinary industry. The general character of this able officer approaches nearer to that of the immortal Jackson than that of any public man lately before the people. There is the same quick perception of the truth in all questions which present themselves, and the same undeviating precision of purpose in reaching it. Although in the sphere of duties in which he has been employed there has been little room for the display of other qualities than those of a military character, yet the indications are numerous in all his movements, of civil qualities which surpassed even those military ones that have conferred upon Wool the high distinction of being the only American officer who has made *no mistake.* That the general has not hitherto been better known to the people, is because the natural modesty of his character, satisfied with the full discharge of his duty, obtrudes not its talents upon the public. He is content that another should have the merit, if only that the country is well served. That country will not, however, discharge its duty, if its rewards fall not on the truly deserving.

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THE LAST OF THE SACRED ARMY.

The memory of the warriors of our freedom! let us guard it with a holy care. Let the mighty pulse which throbs responsive in a nation's heart at utterance of that nation's names of glory, never lie languid when their deeds are told or their example cited. To him of the calm gray eye, selected by the leader of the ranks of Heaven as the instrument for a people's redemption;—to him, the bright and brave, who fell in the attack at Breed's;—to him, the nimble-footed soldier of the swamps of Santee;—to the young stranger from the luxuries of his native France;—to all who fought in that long weary fight for disenthralment from arbitrary rule;—may our star fade, and our good angel smile upon us no more, if we fail to chamber them in our hearts, or forget the memory of their dear-worn honor!

For the fame of these is not as the fame of common heroes. The mere gaining of battles, the chasing away of an opposing force, wielding the great energies of bodies of military, rising proudly amid the smoke and din of the fight, and marching the haughty march of a conqueror; all this, spirit-stirring as it may be to the world, would fail to command the applause of the just and discriminating. But such is not the base whereon American warriors found their title to renown. Our storied names are those of the soldiers of liberty; hardy souls, incased in hardy bodies, untainted with the effeminacy of voluptuous cities, patient, enduring much for principle's sake, and wending on through blood, disease, destitution, and prospects of gloom, to attain the great treasure.

Years have passed; the sword-clash and the thundering of the guns have died; and all personal knowledge of those events,—of the fierce incentives to hate, and the wounds, and scorn, and the curses from the injured, and the wailings from the prisons, lives now but in the memory of a few score gray-haired men, whose number is, season after season, made thinner and thinner by death. Haply, long, long will be the period ere our beloved country shall witness the presence of such or similar scenes again. Haply, too, the time is arriving when war, with all its train of sanguinary horrors, will be a discarded custom among the nations of the earth. A newer and better philosophy, teaching how evil it is to hew down and slay ranks of fellow-men, because of some disagreement between their respective rulers, is melting away old prejudices upon this subject, as warmth in spring melts the frigid ground.

The lover of his race, did he not, looking abroad in the world, see millions whose swelling hearts are all crushed into the dust beneath the iron heel of oppression? did he not behold how kingcraft and priestcraft stalk abroad over fair portions of the globe, and forge the chain, and rivet the yoke? and did he not feel that it were better to live in one flaming atmosphere of carnage than slavishly thus? would offer up nightly prayers that this new philosophy might prevail to the utmost, and the reign of peace never more be disturbed among mankind?

On one of the anniversaries of our national independence, I was staying at the house of an old farmer, about a mile from a thriving country town, whose inhabitants were keeping up the spirit of the occasion with great fervor. The old man himself was a thumping patriot. Early in the morning, my slumbers had been broken by the sharp crack of his ancient mus-

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ket: I looked upon that musket with reverence, for it had seen service in the war, firing salutes in honor of the day. I am free to confess, my military propensities were far from strong enough, appropriate as they might have been considered at such a time, to suppress certain peevish exclamations toward the disturber of my sweet repose. In the course of the forenoon, I attended the ceremonials observed in the village; sat, during the usual patriotic address, on the same bench with a time-worn veteran that had fought in the contest now commemorated; witnessed the evolutions of the uniform company; and returned home with a most excellent appetite for my dinner.

The afternoon was warm and drowsy. I ensconced myself in my easy-chair, near an open window; feeling in that most blissful state of semi-somnolency, which it is now and then, though rarely, given to mortals to enjoy. I was alone, the family of my host having gone on some visit to a neighbor. The bees hummed in the garden, and among the flowers that clustered over the window frame; a sleepy influence seemed to imbue every thing around. Occasionally the faint sound of some random gun-fire from the village would float along, or the just perceptible music of the band, or the tra-a-a-ra of a locust. But these were far from being jars to the quiet spirit I have mentioned.

Insensibly, my consciousness became less and less distinct; my head leaned back; my eyes closed; and my senses relaxed from their waking vigilance. I slept.

* * * How strange a chaos is sometimes the outset to a dream!—There was the pulpit of the rude church, the scene of the oration, and in it a grotesque form whom I had noticed as the drummer in the band, beating away as though calling scattered forces to the rescue. Then the speaker of the day pitched coppers with some unshorn hostler boys; and the grave personage who had opened the services with prayer, was half stripped, and running a foot-race with a tavern loafer. The places and the persons familiar to my morning excursion about the country town, appeared as in life; but in situations all fantastic and out of the way.

After a while, what I beheld began to reduce itself to more method. With the singular characteristic of dreams, I knew—I could not tell how—that thirty years elapsed from the then time, and I was among a new generation. Beings by me never seen before, and some with shrivelled forms, bearing an odd resemblance to men whom I had known in the bloom of manhood, met my eyes.

Methought I stood in a splendid city. It seemed a gala day. Crowds of people were swiftly wending along the streets and walks, as if to behold some great spectacle or famous leader.

"Whither do the people go?" said I, to a shape who passed me, hurrying on with the rest.

"Know you not," answered he, "that the Last of the Sacred Army may be seen to-day?"

And he hastened forward, apparently fearful lest he might be late.

Among the dense ranks, I noticed many women, some of them with infants in their arms. Then there were boys, beautiful creatures, struggling on, with a more intense desire even than the men. And as I looked up, I saw at some distance, coming towards the place where I stood, a troop of young females, the foremost one bearing a wreath of fresh flowers. The crowd pulled and pushed so violently, that this party of girls were sun-

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dered from one another, and she who carried the wreath being jostled, her flowers were trampled to the ground.

"O, hapless me!" cried the child; and she began to weep.

At that moment, her companions came up; and they looked frowningly when they saw the wreath torn.

"Do not grieve, gentle one," said I, to the weeping child. "And you," turning to the others, "blame her not. There bloom more flowers, as fair and fragrant as those which lie rent beneath your feet."

"No," said one of the little troop, "it is now too late."

"What mean you?" I asked.

The children looked at me in wonder.

"For whom did you intend the wreath?" continued I.

"Heard you not," rejoined one of them, "that to-day may be seen the Last of *His* Witnesses? We were on our way to present this lovely wreath—and she who should give it, was to say, that fresh and sweet, like it, would ever be His memory in the souls of us, and of our countrymen."

And the children walked on.

Yielding myself passively to the sway of the current, which yet continued to flow in one huge human stream, I was carried through street after street, and along many a stately passage, the sides of which were lined by palace-like houses. After a time, we came to a large open square, which seemed to be the destination—for there the people stopped. At the further end of this square stood a magnificent building, evidently intended for public purposes; and in front of it a wide marble elevation, half platform and half porch. Upon this elevation were a great many persons, all of them in standing postures, except one, an aged, very aged man, seated in a throne-like chair. His figure and face showed him to be of a length of years seldom vouchsafed to his kind; and his head was thinly covered with hair of a silvery whiteness.

Now, near me stood one whom I knew to be a learned philosopher; and to him I addressed myself for an explanation of these wonderful things.

"Tell me," said I, "who is the ancient being seated on yonder platform."

The person to whom I spoke stared in my face surprisedly.

"Are you of this land," said he, "and have not heard of him—the Last of the Sacred Army?"

"I am ignorant," answered I, "of whom you speak, or of what Army."

The philosopher stared a second time; but soon, when I assured him I was not jesting, he began telling me of former times, and how it came to be that this white-haired remnant of a past age was the object of so much honor. Nor was the story new to me—as may it never be to any son of America.

We edged our way close to the platform. Immediately around the seat of the ancient soldier stood many noble-looking gentlemen, evidently of dignified character and exalted station. As I came near, I heard them mention a *name*—that name which is dearest to our memories as patriots.

"And you saw the Chief with your own eyes?" said one of the gentlemen.

"I did," answered the old warrior.

And the crowd were hushed, and bent reverently, as if in a holy presence.

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"I would," said another gentleman, "I would you had some relic which might be as a chain leading from our hearts to his."

"I have such a relic," replied the aged creature; and, with trembling fingers, he took from his bosom a rude medal, suspended round his neck by a string. "This the Chief gave me," continued he, "to mark his good-will for some slight service I did The Cause."

"And has it been in *his* hands?" asked the crowd, eagerly.

"Himself hung it around my neck," said the veteran.

Then the mighty mass was hushed again, and there was no noise—but a straining of fixed eyes, and a throbbing of hearts, and cheeks pale with excitement—such excitement as might be caused in a man's soul by some sacred memorial of one he honored and loved deeply.

Upon the medal were the letters "G. W."

"Speak to us of him, and of his time," said the crowd.

A few words the old man uttered; but few and rambling as they were, the people listened, as to the accents of an oracle.

Then it was time for him to stay there no longer. So he rose, assisted by such of the by-standers whose rank and reputation gave them a right to the honor, and slowly descended. The mass divided, to form a passage for him and his escort, and they passed forward. And, as he passed, the young boys struggled to him, that they might take his hand, or touch his garments. The women, too, brought their infants, to be placed for a moment in his arms; and every head was uncovered.

I noticed that there was little shouting, or clapping of hands—but a deep-felt sentiment of veneration seemed to pervade them, far more honorable to its object than the loudest acclamations.

In a short time, as the white-haired ancient was out of sight, the square was cleared, and I stood in it with no companion but the philosopher.

"Is it well," said I, "that such reverence be bestowed by a great people on a creature like themselves? The self-respect each one has for his own nature might run the risk of effacement, were such things often seen. Besides, it is not allowed that man pay worship to his fellow."

"Fear not," answered the philosopher; "the occurrences you have just witnessed spring from the fairest and manliest traits in the soul. Nothing more becomes a nation than paying its choicest honors to the memory of those who have fought for it, or labored for its good. By thus often bringing up their examples before the eyes of the living, others are incited to follow in the same glorious path. Do not suppose, young man, that it is by sermons and oft-repeated precepts, we form a disposition great or good. The model of one pure, upright character, living as a beacon in history, does more benefit than the lumbering tomes of a thousand theorists.

"No: it is well that the benefactors of a state be so kept alive in memory and in song, when their bodies are mouldering. Then will it be impossible for a people to become enslaved; for, though the strong arm of their old defender come not, as formerly, to the battle, his spirit is there, through the power of remembrance, and wields a better sway, even, than if it were of fleshly substance."

* * * The words of the philosopher sounded indistinctly to my ears—and his features faded, as in a mist. I awoke; and, looking through the window, saw that the sun had just sunk in the west—two hours having passed away since the commencement of my afternoon slumber.

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FINANCIAL AND COMMERCIAL REVIEW.

It is now four years since the money market underwent a pressure similar to that which has overtaken it during the last ninety days. The pressure at that time grew out of the revulsion in England. It will be remembered, that in August, 1847, the great revulsion in the corn market took place. Wheat, which had reached 110s. per quarter--say $3.25 per bushel—fell rapidly through August, carrying down many large firms, and giving an impetus to the railroad revulsion, so that, in ninety days, one hundred and seventy-six of the leading firms in England stopped. Bills on England were not taken, and a large export of specie from New-York took place, in relation to which we wrote at that time as follows:

"The packets of the 1st of November carried out considerable sums, and the shipments continued until the amount reached, in two weeks, $2,000,000. This was a serious drain in the then state of bank affairs, and the institutions immediately adopted the most stringent measures. A very small proportion only of the notes offering were discounted, and loans on stocks were called in rigorously; importer's paper particularly was struck at; and first-class auctioneers' paper sold from 1½ to 2 per cent. per month, while it became impossible to procure loans on New-York stocks at a large margin. The banks rigorously drew balances from each other, and adopted a general system of curtailment that exceedingly oppressed the market, causing prices, particularly of stocks, to fall rapidly."

This, which describes the state of the New-York market from August to November, 1847, applies very nearly to the state of affairs now. At that time the cotton bills turned the market, and money became very abundant in the following February, when $5,000,000 United States 5 per cent. loan was made at par. The market is now more easy, under a fall of bills, with a far better prospect abroad. In 1847 the revulsion in England did not spend itself until far into the winter; while now the prospect for an improvement in United States staples is fair, and the difficulties which have prevailed in England are mostly passed. They grew out of too great affluence of production, and some stimulus to trade imparted by the events in California. When, from any cause, articles of produce are high in the market, that is not an advantageous state of affairs for the consumers of that article; nevertheless, when the supply increases to the benefit of the consumers, the holders of stock suffer loss through the general prosperity. Thus, when industry and favorable seasons afforded England an ample supply of food, the fall of grain from famine prices was by no means an evil, although it ruined many merchants concerned in the trade. Something like this has occurred, although in a less degree, during the past nine months. In illustration of this, I compile from English official letters the quantities of leading articles imported into Great Britain during the seven months to August, with the prices on January 1st and September 1st.

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IMPORTS INTO GREAT BRITAIN, AND PRICES.

		1850.	1851.	Jan., '51. s. d.	Sep., '51. s. d.	Fall per cent.
Coffee	lbs.	23,348,840	25,172,331	52 00	42 00	20
Sugar	"	464,635,075	536,557,500	39 00	34 00	12½
Tobacco	"	6,601,231	10,574,932	00 09	00 07½	17
Wool	"	41,939,266	47,515,752	23 00	18 00	40
Cotton	"	407,882,300	535,652,000	00 08½	00 06	30
Tea	"	36,774,534	49,851,292	00 14	00 12	14
Butter	"	20,417,850	21,321,762	92 00	87 00	5½
Currants	"	17,336,300	25,797,230	47 00	38 00	20
Timber, loads	"	123,039	154,828	70 00	65 00	7
Grain, qrs.	"	4,916,705	5,414,300	39 05	39 01	
Flour, cwt.	"	1,401 914	3,171,883	22 00	21 00	5

The increased quantities imported are very large. The weight of the first eight articles in 1850 was 1,018,985,396 pounds, and in 1851, 1,252,442,799 pounds—an increase of 25 per cent. And the decline in prices is important. A necessary consequence has been some degree of stringency, among all houses connected with the colonial and produce trades, although the rates at which these articles are placed at the disposal of labor have been on more favorable terms. It is obvious that this adverse trade has not been without its influence upon American interests—more particularly, as those connected with the United States, instead of having large funds at their disposal for employment here, where money is high, have been themselves considerable borrowers. The paper of some of these houses has been offering at 1½ per cent. per month. In these circumstances may be found some of the apparent anomalies in the foreign trade, and not a dissimilar state of things has attended our internal commerce; for, there has been a great increase in production, with a consequent decline in money value. There is no doubt but that the idea that a general advance in prices would result from the influx of gold from California was one motive to the extended operations in England. That result was measurably counteracted by the disordered state of the European currency, which may be briefly alluded to. In 1848, during the revolution, nearly all the banks suspended, and increased their circulations, and governments put afloat a mass of paper. Resumption of specie payments, and redemption of their paper, are now going on, in addition to the disposition of individuals to hoard. Take an instance—the National Bank of Belgium. That institution suspended in March, 1848, when it had a circulation of $600,000, and about $400,000 of specie. In December, 1849, it had a circulation of $1,978,875, and $7,000,000 of specie. On the 31st August last, it held $6,500,000 of specie, and had $18,000,000 of circulation. Also, the National Bank of Sardinia, at Genoa, was created in 1848, out of the Bank of Turin and the Bank of Genoa. The paper of this concern, to the amount of $7,000,000, was loaned to the government for circulation. It has been recalling that paper; and on the 3rd instant, it held $4,000,000 of specie, and $6,400,000 of circulation. The Austrian government also played off its old trick, in paying out an immense amount of paper money. It has now made a loan of $35,000,000, of which $24,000,000 are to be applied to the redemption of the circulation. In the same manner, the Sardinian government pays its debts to the banks. At the close of the year of revolution—say December, 1849—the leading banks in Europe stood thus:

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	Suspended.	Circulation.	Specie.
Bank of England		$91,000,800	$82,235,722
Bank of France	March, 1848	90,000,000	83,848,000
Bank of Vienna	June, 1848	101,910,404	12,136,240
Bank of Belgium	March, 1848	1,978,875	700,000
Society B'k "	March, 1848	6,816,600	3,681,120
National B'k Sardinia	Sept. 1848	6,377,189	1,398,172
Bank of Prussia		10,970,230	12,182,340
Bank St. Ferdinand, Madrid		20,000,000	2,500,000
Bank of Barcelona		793,450	961,000
Bank of Cadiz		2,137,500	1,698,950
National Bank of Greece		1,409,756	1,215,000
Total		233,894,794	202,556,544

During the political revulsions the discounts of the institutions on the continent ran to a very low figure. Their chief business was in dealings with the government. Since that epoch they have struggled for specie, and have succeeded in obtaining considerable amounts, as indicated in the following table:

	Dec., 1849.	Sept., 1851.
Bank of France	$83,868,000	$121,284,000
Bank of Belgium	700,000	6,517,000
Bank of Genoa	1,398,172	4,280,000
Bank of Vienna	12,136,240,	20,386,000
Total	98,102,412	152,467,000

The other banks have made more or less progress in the same direction. The Austrian government owed the bank $30,000,000, in addition to $16.000,000 turned over to it from the Sardinian indemnity. The new Austrian loan will draw specie from western Europe to strengthen the bank. In Belgium a new bank, of $5,000,000 capital, has been authorized to supersede the Bank of Belgium and the Society Bank as banks of discount. It is apparent that throughout Europe the disturbance of the currency is nearly the same as in the United States after the general suspension, and when all the banks were struggling to strengthen themselves. In that state of affairs the main cause of the specie demand is to be found.

These unusual circumstances of the English markets and the European currency are the chief causes of the apparent balance against the country.

There is no doubt but that the great decline which has taken place in most imported produce in England since January last, has crippled many houses connected with this country, and that in consequence considerable sums, which have been long employed on this side, have been sent back. This fact, added to the large European and Indian demand for specie, has aided the efflux of coin. The imports into the country have been large, doubtless, and may be estimated for the last fiscal year at $200,000,000; that is to say, an import of $155,427,936 in 1850 gave, in round numbers, $40,000,000 of duties. The duties of 1851 have been $51,627,617; from this, however, the expense of collection, about $4,000,000, must be deducted; consequently, at the same average, the imports are $200,000,000—an increase of $45,000,000; but the exports have been greater. Thus the New-Orleans Price Current gives the average value of cotton at that place at $50 per bale for the year; and as its estimates for former years have corresponded with those of the official reports, we may assume them

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to be correct. The exports, as compared with last year, will then run nearly thus:

UNITED STATES EXPORTS.

	1850.	1851.
Cotton	$71,984,616	$97.000,000
Tobacco	9,951,023	10,000,000
Fisheries	2,824·818	3,000,000
Forest	7,442,503	8,000,000
Provisions	10,549,383	10,000,000
Breadstuffs	15 822,373	22.000,000
Manufactures	16,150,115	16,000.000
Other	175,402	175,000
Foreign goods	9,477,655	10,000,000
" coin	5,474,155	12,000,000
United States coin	2,046,679	20,000,000
Total	151,898,722	208,175,000

The exports of New-Orleans and New-York for a series of years have been as follows, according to official figures:

EXPORTS FROM UNITED STATES.

	New-Orleans.	New-York.	All other ports.	Total U. S.
1844	$30,498,302	$32,861,540	$47,850,199	$111,200,046
1845	27,157,465	36,125,298	51,283,843	114,616,606
1846	31,275,704	36,935,413	45,277,056	113,488,173
1847	42,051,683	49,844,368	66,752,621	158.648,692
1848	40,971,361	53,351,157	59,713,918	154.036,436
1849	37,611.667	41,460,127	66,584,161	145,755,955
1850	38,105,350	44,546,620	69,246,750	151,898,720
1851	54,433,963	80,218,207	70,000,000	204,652,170

Thus, allowing for all the other ports of the Union, no more than the export of the last year, the aggregate exceeds $204,000,000—a sum more than sufficient to counterbalance our actual imports; but the probabilities are that, as usual, the exports from other cities have increased in a similar ratio.

The exports of breadstuffs may be underrated for 1851, since to Great Britain alone the exports of flour has been 1,100,000 bbls. more than last year. The coin exports are placed at $32,000,000; from New-York alone they were $28,000,000. On this estimate the exports are $58,000,000 more than last year, against an increase of 45,000,000 only in imports. There is no disastrous adverse balance, even although produce may have paid no profit. This is very far from being a parallel for the years 1836 and 1839. The imports and exports of the three years ending with 1836 compare with the three years now just closed as follows:

	1834, '35, 36.	1849, '50, '51.
Imports	$466,396,110	$522,895,772
Exports	354,691,590	507,654,590
Excess imports	111,705,520	15,341,182

A moderate profit of 5 per cent., including freights, would give us now a large balance in our favor, while in the former period the open London credits and United States' bank agency suffice to cover large importations that were never paid for at all. Nothing of this kind now exists.

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Nevertheless, during the quarter ending with September, the stringency in the money market of the Atlantic cities has been very severe, and for the first time since the fall of 1847.

	Loans.	Increase for quarter.	Decrease for quarter.
September, 1848	40,097,890	--	--
December, "	41,031,247	933,357	--
March, 1849	43,521,441	2,490,194	--
June, "	48,515,471	4,994,030	--
September, "	49,922,765	1,406,794	--
December, "	53,360,050	3,448,785	--
March, 1850	56,420,647	3,060,597	--
June, "	59,888,176	3,467,529	--
September, "	62,788,151	2,899,975	--
December, "	65,358,017	2,570,866	--
March, 1851	68,076,072	2,718,055	--
June, "	71,953,514	3,877,442	--
September, "	65,435,122	--	6,518,392

Here was an unchecked average increase of loans of one million per month for more than 30 months.

In the June quarter, that is, during the spring business for the last year, although the export of specie was large, the increase of loans was greater than during the corresponding quarter of the previous year, and reached $3,877,442 or in round numbers, four millions more money was loaned by the banks than they received; money was, of course, very abundant. In the September quarter, for the first time in four years, the banks decreased their loans 10 per cent., or $6,510,392. This amount of money the merchants were in three months compelled to realize from their business, and from country payments. In the spring quarter the banks not only discounted as much as was necessary to meet maturing paper, but nearly four millions in addition. In the last quarter they have discounted 6,500,000 less than the accruing payments. These two sums make together a difference of 10,500,000 in the supply of money upon the New-York market. That is to say, between the abundance of the spring and the extreme pressure of the fall.

It is a remarkable fact, however, that only the *old* banks have curtailed. Thus, there are thirty-nine banks in New-York city, of which eleven have been organized in the year. The former have reduced their discounts 15 per cent., and the latter have increased theirs 40 per cent., showing that a general demand for specie was not the cause of the pressure as has been alledged, since such a cause would have affected all alike. The main cause was a financical war among the country banks, which caused a withdrawal of balances from the old banks involving a corresponding curtailment by them.

It is a matter of congratulation that the merchants of New-York were able so promptly to find and pay back to the banks this 6,500,000, comparatively, without any stoppages. It is an evidence of the soundness *as yet* of general business. The deposites in the banks have in the same time decreased many millions, and this, in some quarters, has been supposed to be a withdrawal of private funds from banks for employment in the purchase of paper, thus compensating for the bank stringency. This view we take to be a mistaken one. Thus, the bank deposites in June were $41,138,757, having increased with the discounts *pari passu* since 1848, when they were but $20,000,000; certainly individuals do not allow any such amount of money to lie idle. The "deposites" in the bank re-

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turns are but another name for discounts, and have no real existence as available funds. Thus, if a note approaches maturity at any institution, the maker offers for discount usually, some other paper for discount. When that is "done" the amount passes to his credit and is a "deposite" until it is checked against to pay the matured note which was a "discount." Thus both deposite and discount disappear together from the bank books; it is only two credits cancelled by the same transaction, no *money* having appeared in the matter at all. If, as has been the case in the last quarter, the banks refuse to discount to furnish the means of taking up the note falling due, it must be procured from other sources—forced sales of goods or stocks, borrowing on mortgage at enormous rates, enriching the holder of money at the expense of those who have promised to deliver it.

The season of the year is now approaching when the diminished imports and enhanced exports will reverse fears of foreign demand for coin, and the banks will probably resume their expansive progress, more particularly that, the new banks, of which there are sixteen, the Knickerbocker and the Grocers' having commenced, will compete for business. These banks will encourage dealers to borrow, that is, they will, in the stock-market phrase, induce them to sell money short; to promise to deliver to the banks at a future day what they have now not got, and when that day arrives, the banks will refuse to furnish the money for delivery, and the merchants will be again cornered, many of them ruined. It depends, therefore, upon the merchants themselves whether they will have a revulsion. If they promise to deliver too much money, they will inevitably be caught. The banks play a blind game; although they make and unmake fortunes in a day, their operations are secret. Like the Inquisition, they spread their secret machinations round the victim, and he writhes upon the rack, without daring to murmur or to betray the hand which tortures him. The temptation which lures dealers within the power of these financial Torquemadas is the ambition to do a large business to induce purchases by granting liberal credits. The inevitable fate of these toads, which endeavor to swell themselves to the size of oxen, is to burst. Family emulation in extravagant living, goads on to ruin a weak-minded man, who is *supposed* to be "smart" until *known* to be a fool. The smile of contempt and the sneers of rivals accompany his fall, and his name and place are forgotten in a week.

The business of New-York city with the interior of this state, will, this winter, be on a footing entirely different from that of any former year. In the first place, as soon as the canal navigation shall have closed, the expenditure of the $1,000,000, already negotiated, of the *nine millions* loan, will commence, and probably $4,000,000 will be expended during the season. The effect of such an expenditure on the line of the canal will be, as usual in such cases, to promote business in that quarter, creating a demand for goods and produce, and facilitating the remittances to the city. For access to the city, there are now two great lines of railroads, viz.: the Northern, from Buffalo through Troy—the Hudson River road being now open to the heart of the city; and the Erie railroad, from Dunkirk to the centre of the metropolis. These two routes, each about 500 miles long, traverse the state longitudinally, and drain it of its produce north and south, to concentrate it in the city, while they draw thence supplies to distribute in return through the whole vast region of the northern

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and southern tiers of counties. Lateral connections are being constantly formed by rail and plank roads, and each day adds to the area which communicates with the city. New sources of produce, and new markets for goods, are opened as soon as a new tract of land becomes accessible.

The northern line of roads will, this winter, not only be put in connection with the city, by means of the Hudson River road, but they will be permitted to carry freight free of canal tolls henceforth, the shameful law imposing those tolls being repealed. Our citizens are to realize the fact, that Albany, instead of being cut off from the city during the season of frost, is now not only within four hours of it the year round, but that it is also in connection with Buffalo on favorable terms; and New-York city has two rival and parallel routes, of 500 miles each, by which to reach Lake Erie during the whole year. These two routes cost $46,000,000, and will more than pay for themselves, in the collateral influences, in one year.

An instance of the benefits of railroad travel for business men, is manifest in the fact, that on a late occasion the writer of this left New-York at 7 A. M., in the Hudson train, reached Albany (143 miles) in four hours; remained 2½ hours, and made the passage back in three and a half hours, passing the steamer Oregon (which left Albany at 7 A. M.) at Sing Sing, and arriving an hour before her, thus travelling double the distance in three and a half hours less time than a crack steamer.

Among the most extraordinary indications of agricultural prosperity are the returns of produce at New-Orleans, for the year ending August 31, 1851, which has been a year of low prices for farm produce generally. In the year 1846, the value of produce arriving at New-Orleans, via the river, reached $77,193,-464, which was the highest figure it had then ever reached. Since then the progress has been, distinguishing the leading heads of articles, as follows:

RECEIPTS OF PRODUCE AT NEW-ORLEANS.

	1846.	1849.	1850.	1851.
Bagging	$917,710	$1,167,056	$816,498	$903,800
Bale Rope	255,654	1,119,864	688,832	804,108
Cotton	33,716,266	30,844,314	41,886,150	48,756,764
Molasses	1,710,000	2,288,000	2,400,000	2,625,000
Sugar	10,255,750	8,800,000	12,396,150	12,678,180
Tobacco	4,146,562	3,938,290	6,206,820	7,860,050
All other	26,184,135	33,832,168	32,503,4 3	33,296,109
Total	77,193,354	81,986,692	66,897,873	106,924,083

Observe the continually increased value in the aggregate, notwithstanding that prices, under the large supply, in some cases have declined. Sugar and molasses are 25 per cent. more, tobacco nearly double, and cotton has increased 50 per cent. in value, affording a rich reward to planters, and laying the foundation of a sound general trade. Cotton has, indeed, borne a very good price in the last two years, and manufacturers, at home and abroad, have been compelled to pay roundly for it. If we take the quantities of cotton exported from the United States per official reports, and reduce the pounds to bales of 400 pounds, we shall arrive at an annual average export value per bale, per custom house reports for the whole Union. The following are the results of such a table for several years:

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VALUE OF COTTON EXPORTED FROM THE UNITED STATES.

	Bales.	Value.	Average per bale.
1443	1,978,000	$49.119.806	$25
1844	1,659,000	54,063,501	33¼
1845	2,182,390	51,739,643	36
1846	1,368,890	42,737,341	31¼
1847	1,318,040	52,514,848	40½
1848	2,035,186	61,993,294	30
1849	2,566,250	66,396,967	26
1850	1,583,454	71,984,646	45¼
1851	1,958,710	97,935,500	50

It is here remarkable that the value declined annually in 1844, 1845, and 1846. It then began to rise; and we receive this year $48,000,000, or just double, for the same number of bales as was exported in 1843.

It is worthy of remark, in connection with this subject, how much a larger quantity of cotton is improved in price in the last four years as compared with the previous four years. Thus estimating the weight for 1851 at 800,000,000 pounds, the comparison of the last four years with the four previous years, under the tariff of 1842, is as follow:

COTTON EXPORTED.

	Official weight. lbs.	Official value. $	Average per lb. cts.
1843–'47	2,611,317,464	201,986,833	7.73
1848–'51	3,276,258,204	298,379.877	9.10
Increase	664,940,740	96,393,544	1.37

This is a very gratifying rise, and if we compare the year 1844 with the year 1850, it becomes still more marked. Thus:

	Weight of exports. lbs.	Value. $	Average per lb. cts.
1844	663,633,455	54.063,501	8.1
1850	635,331,604	71,984,616	11.3
Decrease	28,251,851,	17,921,115	3.2

The value of the cotton taken by United States manufacturers in 1844 was $12,629,238. Thus the *rise* in the value of a *less quantity* exported is 40 per cent. more than the whole home consumption in 1844. If the quantity sold at home had been thrown into the sea, the planters could have afforded to lose it under such a foreign trade.

If, now, we take the number of bales consumed in the United States in the same years at the same prices, we have results as follows:

COTTON CONSUMED IN THE UNITED STATES.

	Bales.	Per bale.	Value.
1843	325,129	$25	$8,128,225
1844	346,744	33¼	12,629,238
1845	389,008	23½	9,141,611
1846	422,897	33¼	13,250,772
1847	427,967	40½	17,333,663
1848	531,772	30	15,953,160
1849	518,039	26	13,469,014
1850	487,769	45¼	22,071,497
1851	404,108	50	20,205,400

It now appears that the manufacturers in 1851 paid just double what they did

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in 1845 for the raw material consumed; or, in the fourth complete year of the operation of the tariff of 1846, they paid $7,000,000, or 50 per cent. more money for a less number of bales than they bought in 1846, the fourth year of the tariff of 1842, Such a result is very bad for manufacturers, no doubt, but very good for planters, who will never be ruined by such a course. Now, it is no doubt the case that the advance in the raw materials, as is always the case, checks consumption, and that result has taken place in the last year. The low prices of 1848-49, added to the general prosperity of the country, greatly promoted consumption, and in 1848, 531,772 bales were taken by the manufacturers. As the prices advanced they bought less freely, but still comparatively very largely in 1850. The cloth made from that high-priced cotton in 1850 has found the shelves of retailers in 1851; but it has encountered diminished demand, owing to the high price in part, and manufacturers have not got back from the cloth the advance of $7,000,000 which they paid out for raw material. The main reason for this, however, is the growth of cotton mills, South and West.

It will be understood that the cotton crop is annually made up by the New-York Shipping List from southern local reports, of all the cotton which arrives at the seaports; and it is usually very accurate. A few years since, all the cotton came to the seaports; consequently the returns so obtained embraced all the crop. As, however, cotton mills multiplied in the interior, they obtained their cotton from the plantations, and there exists no means of estimating how much they so take, nor how much their productions displace the cloth of the old eastern factories. The operation of those mills would be to diminish the apparent quantity of cotton taken from the seaports, and by interior competition prevent the rise in prices of the cloth made at the North. The Shipping List attempts some estimates of the quantity of cotton taken by the miles South and West, but these guesses are by no means so trustworthy as its crop figures.

The census of 1840 gave the number of cotton spindles in the south and western States; and since then the number is known to have very much increased. The Shipping Li-t, however, estimated the number in 1850 and 1851, and also the number of bales they consumed. The spindles are given as follows:

	Census 1840. Spindles.	1850.	Shipping List. 1851.
North Carolina	47,934	—	—
South Carolina	16,355	36,500	26,500
Georgia	42,589	51,150	51,400
Alabama	1,502	16,960	12,580
Tennessee	16,813	36,000	36,000
Ohio, Pittsburg, Virginia, Indiana, Kentucky, Illinois,	32,121	102,200	100,000
Total spindles	157,314	242,830	236,480
Cotton consumed, bales		107,500	60,000

These estimates are apparently arbitrary. The number of spindles in Ohio, &c., is 100,000; yet the consumption of cotton is estimated at 35,000 bales in 1849, and only 12,000 in 1850: that is to say, 12,580 spindles in Alabama are estimated to cousume as much cotton as 100,000 in Ohio, &c., and 4,000 bales more than 36,000 spindles in Tennessee. General James calculates that 10,000 spindles require 4,500 bales, of 400 lbs. each; consequently, 286,000 spindles (including North Carolina, allowing that there has been no increase in spindles,

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will take about 130,000 bales. The reason given for the small consumption of cotton South and West this year—viz: the high price of cotton—applies with much greater force to the northern factories, distant from market, than to those which are near the plantations. The truth is, that the consumption of cotton South and West has been very large; and the cloth so produced, costing less, has taken the market, and prevented the northern articles from realizing an advance corresponding to the rise in the raw material. It is the transition of the seat of manufactures from the North and East to the South and West under which northern manufacturing capital is laboring.

SCIENTIFIC.

P. A. Brown, of Philadelphia, has invented a little instrument with which he can, at one operation, ascertain the ductility, elasticity, and tenacity of any small fibre, such as silk, flax, hair, wool, &c. We propose to present our readers, from time to time, with the results of some of his experiments, which, we flatter ourselves, will be found interesting.

We will commence with that of a hair from the head of his Excellency General George Washington. One inch of this being subjected to the trichometor.*

With 170	grains	it stretched	1-90 of an inch.—Elasticity		entire.
220	"	"	"		"
270	"	"	2-90		"
470	"	"	3-90		"
570	"	"	4-90		"
670	"	"	5-90		"
770	"	"	25-90	Minus	13-90
870	"	"	30-90	"	16-90
940	"	"	"	"	19-90
970	"	"	32-90	"	20-90
990	"	"	35-90	"	"
1070	"	"	"	"	"
1120 it parted.					

The lock of hair from which the above was taken, had been extracted more than 50 years, during all which time it had been kept in the drawer of a desk, carefully wrapped in paper. It is what is generally termed *gray*, that is to say, *colorless;* was in shape oval, and had a diameter of 1-312 by 1-500 of an inch.

It will not fail to be remarked, that this filament showed no ductility until it was subjected to a weight of 170 grains, when it stretched one-ninetieth of an inch; that by a gradual increase of the weight it as gradually stretched to 5-90, all this while returning to its original dimensions, when the weight was removed; with only 100 more grains it stretched three times as much as shown in the last experiment, say 25-90 of an inch, and suddenly lost 13-90 of its elasticity; being still further loaded, it finally stretched 35-90, being more than one-third of its original length, which was exactly one inch, and finally broke with the enormous weight of 1120 grains only.

It is very probable that when the 770 grains were put into the scale, that this hair, which had theretofore remained entire, was suddenly ruptured in some part of its structure, perhaps in its cortex.

We will here take leave to remark, that all Mr. Brown's experiments with this instrument are made with *one inch* of the filament, where it has that length; this we take to be an improvement upon the European mode of conducting the like experiments.

* From trix, a hair, and metron, a measure.

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MISCELLANEOUS.

THE ELECTIONS.

The Democratic Party can well be congratulated upon the general result of the elections which have taken place. The defeat which overtook it when a portion under the lead of blind guides, went after false gods, and strove to substitute individual passions and pandemonium philanthropy for the permanent principles of human progress, is a just, and, we hope, an efficient punishment. The old federal party has had enough of power to induce a display of the cloven foot, and the people, once more, rally in their strength, to cast out the disunionist descendants of tory fathers.

In Pennsylvania, the results are as follows:

	1848.		1851.
Loutrell, D.	168,225	Bigelow	186,507
Johnston, W.	168,522	Johnston	178,070
Majority	297		8,437

In Georgia, the result has been as follows:

	1848. President.		1851. Governor.		Congress.
Cass	44,302	Cobb	56,261	Union	55,988
Taylor	47,544	M'Donald	37,472	Secession	37,669
Dem. Maj.			18,789		18,319
Whig	2,742				

In South Carolina, the vote stood as follows:

Union	24,096
Co-operation	16,244
Union Majority	7,852

In Mississippi, the vote stood thus;

	Governor. 1851.		1849.
Union	28,402	Quitman	30,979
State's Rights	21,240	Foot	21,706
Union Majority	7,162		9,274

In Tennessee, the gubernatorial election resulted as follows:

	1849.		1851.
Trousdale, D	61,710.	Trousdale	61,673
Brown, W	60,350.	Campbell	63,333

The Free-soil schism of the party is now, we trust, dead and buried—having performed precisely the same service for the federalists as it did in 1820, viz.: divide the people sufficiently to give the Galphins a grab at the treasures. The election in New-York will, we trust, cap the series of triumphs, and complete that consolidation of the democracy which will ensure a great triumph in 1852.

THE OPERA.

The distinguished artistes which have, during the past year, created so great a furor, won such golden opinions, and reaped so substantial a testimonial of the favor of the Knickerbockers, have, with the metropolitan stamp upon them, spread over the face of the country. Jenny Lind has renewed the excitement in her favor in the north, is pro-

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ceeding west, and has again given concerts at Cincinnati. Catharine Hayes is filling New-England with Irish melody. Madame Anna Thillon attracts the eyes and charms the ears of the Pennsylvanians. Anna Bishop has sung to our New-Jersey neighbors. Madame Biscaccianti has also returned from Europe, and opens concerts at Tripler Hall; and the company of Maretzek, after completing an engagement at Baltimore, commenced a season of twenty nights at the Astor House Opera November, 3. It is also announced that Henrietta Sontag, the Countess Rossi, also intends to visit New-York this year. The great success of Miss Lind proves attractive to the artistes of the old world.

CATHARINE HAYES.

Miss Catharine Hayes continued her concerts well through the month; her success increasing rather than waning, as had been prognosticated. We were prepared for this, because it was apparent to us that Miss Hayes, in point of musical ability, ranks sufficiently high to win the attention and admiration of an appreciative public. Her powers are extensively varied; everything, from the simple melodies of Old Ireland to the complicated arias of Meyerbeer or Rossini; the light and humorous, as well as the sad and solemn, seem only to receive added graces from her rendition. The qualities of Herr Mengis and Mr. Braham have been pretty well tested; they were but weak aids to the accomplished *Cantatrice*; except, perhaps, by forming a strong contrast. Miss Hayes has more lately been accompanied by Signori Marini and Badiali, our sometime favorites at Castle Garden, and Herr Miska Hauser, whose performances on the violin have attracted great attention. Miss Hayes has left the city for a time; but we believe that ere long she will return to us to fill our ears with melody and our hearts with pleasure.

BROADWAY THEATRE.

Miss Laura Addison's engagement was protracted through several weeks, but not with any great degree of success. There is an absence of those striking points in her performances which more than all else denote the presence of dramatic genius. In scenes of gentleness and quiet dignity—such as portions of Juliet, and the first acts of the Patrician's Daughter, she quite realized our idea of good acting; but in scenes calling for passion, she was cold, passionless and declamatory. Miss Addison has many defects to be remedied before she can become a great actress, though without more improvement than experience brings, she will always be considered a good one. After a short engagement by the Roussetts, Madame Celeste made her appearance in the Green Bushes, so famous in London, where that lady performed it for upwards of three hundred nights. The play is weak, inconsistent, uninteresting, and only redeemed by the truly elegant acting of Madame Celeste. Years seem to have worn upon her but lightly since her last visit to this country, and to have given, if possible, more grace and ease to her performances. We cannot close our notice without paying a deserved compliment to Mr. Heister, the scene painter at the Broadway Theatre; some of the new scenery used in the Green Bushes was very tastefully painted, and the audience appreciated its beauties.

BROUGHAM'S.

Since the days of yore, when the Three Graces enlivened the world with a sense of beauty, there has been a long dark lapse; the graces have returned again, augmented in number, and are delighting the world under the semblance of the Roussett Sisters. Caroline is, indeed, a most wonderful woman—that dashing grace and haughty *abandon* so ready at her command, win her nightly applauses that Ellsler might envy; and

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Adelaide, Teresina, and Clementina, have each their grand points by which to assure themselves of plaudits. While we sincerely regret the necessity that forced Mr. Brougham to take up the ruinous "star system," we cannot but express our gratification at the selection he has made, and we trust that he will continue to exercise his good taste so famously. We should be loth to call the production of "See Saw" a feature of the month: it was announced as the work of a *distinguished* member of the New-York press; his play has added nothing to his distinction, for it is in language commonplace, of incident barren, and, although pretending highly, has not, that we can perceive, one sparkle of true wit.

NIBLO'S.

Madame Anna Thillon, with Mr. Hudson, and the Ravels, have been performing here through the month; the Ravels in their grand pantomime, Raoull, and Madame Thillon in the Crown Diamonds, Child of the Regiment, and other French operas. Her success may be attributed to the charms of person and manner, rather than her execution, though even there, indeed, she is very far above mediocrity.

NOTICES OF NEW BOOKS.

NAVAL LIFE; Or, Observations Afloat and on Shore. The Midshipman. By W. F. Lynch, U. S. N. Charles Scribner, 145 Nassau-street.

THIS work is what its title purports to be, a narrative of sea life; and written, as the author informs us, to counteract a growing prejudice against his profession. We were not ourselves aware of any such prejudice existing in the public mind, and we trust that the gallant author does not regard the increased estimation in which the army is held for its great deeds, as an indication of diminished esteem for the navy. The success of the navy in the "last war," or that of 1812, when the army sustained reverses, deservedly placed the navy very high in public estimation, and that esteem was fanned and heightened in an extraordinary degree by the novels of Cooper. The army has now had its turn, and has now a place in popular favor without diverting anything from the laurels of the navy. If the navy no longer holds an undivided place in the country's esteem, it has not lost, through increase of honor to the other branch of service. In the events which are foreshadowed in the state of Europe, a great, a noble part is apparently reserved for our navy, which is yet to carry the "broom at the mast head;" and it needs not the able and agreeable work of Lieut. Lynch to prepare the way for national enthusiasm upon the ocean. We have seldom read a sea story with more interest and pleasure than the one before us.

EXCERPTA EX P. OVIDII NASONIS CARMINIBUS. 12mo., pp. 243. Philadelphia: Lea & Blanchard.

This edition of Ovid, from the edition of Schmitz and Zumpts, is one of the best which has made its appearance. It is designed in its present form chiefly for the use of schools and colleges, for which purpose it is well got up.

GULLIVER JOI; his Three Voyages in Kailoo, Hydrogenia, and Ejario. Charles Scribner, New-York.

These stories of the marvellous, for youthful minds, are of supposed voyages, by means of modern invention, to the planets, and possess much interest.

MILLITOFT; or the Days of James Ist. A Tale. John Murphy & Co., Baltimore.

This little tale is opportunely addressed by an American to the Catholics of England, reminding them of the persecutions which they formerly suffered from that government, and that state persecutions only strengthens its cause. Apart from its religious teaching, the tale has also much of interest.

THE YOUNG EMIGRANT'S Stories for Summer Days and Winter Nights. Charles Scribner.

This is a very interesting and amusing collection of Juvenile tales.

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WATCHING SPIRITS. By Mrs. Ellet, author of "The Women of the Revolution." Charles Scribner, 145 Nassau-street.

This little volume is elegantly bound, and illustrated with six beautiful engravings on steel, illustrating the text, which divides itself into 7 heads: 1st. Watching spirits. 2d. The ministry of angels. 3d. The lessoning of angels. 4th. Elect angels. 5th. Departed spirits. 6th. Apostate spirits. 7th. Conclusion. The whole is treated with much feeling and devotion by the authoress, whose religious teachings are well known and appreciated by the public.

THE FALL OF POLAND: Containing an analytical and a philosophical account of the causes which conspired in the ruin of that nation. Together with the history of its first origin. By L. C. Saxton. 2 vols. Charles Scribner, 145 Nassau-street.

This able work is at this junction a most welcome publication. At the present moment, when Europe is, as it were, holding its breath preparatory to the last mighty effort which a long oppressed people will be required to make for their emancipation from feudal tyranny, the history of Poland, giving an account of its heroic struggles, and the causes which combined to defeat their object, cannot but be a subject of interest. The crimes of those governments which participated in the dismemberment of unfortunate Poland are now about to make retribution, and it is just that the story of Poland should be revived in the public mind. The subject is well and clearly handled by Mr. Saxton, and the typography does credit to the publisher.

MARGARET: A tale of the real and ideal, blight and bloom; including sketches of a place not before described, called Mons Cnristi; in 2 vols. Phillips, Sampson & Co. Boston.

This is an American tale of the period succeeding the Revolution, and Margaret is the heroine, illustrating in the progress of her life the social theory of the author, developed in a plot of more or less pretension, and not void either of amusement or instruction.

VANCE'S CALIFORNIA VIEWS.

This grand exhibition attracted considerable attention through the month; the fidelity and beauty of these pictures created no inconsiderable surprise; they present us with stereotyped views from nature, all defects as well as all perfections. Mr. Vance's artistic abilities, aided by his perseverance and energy, have achieved a great work in thus copying scenes which must interest all classes, and we trust that his great efforts will be appreciated by all lovers of art.

THE MIND AND THE HEART. By Franklin W. Fish. Adriance, Sherman & Co., 2 Astor House, 1851.

A new volume of poems by a young man, and one which cannot be looked at with derision for its defects, or pride for any merits it may possess; in short, a mediocre volume. It is very neatly printed by Adriance, Sherman & Co.

UNCLE FRANK'S HOME STORIES, with illustrations.
"The Boys and Girls' Country Book." 1 vol.
"The Strawberry Girl; or How to rise in the World." 1 vol.
"The Little Mischief-maker, and other stories." 1 vol. Charles Scribner.

This series of juvenile books are very popular, and beautifully got up and illustrated by Mr. Scribner.

A BOOK OF ROMANCES, Lyrics and Songs. By Bayard Taylor. Ticknor, Reed & Fields

Mr. Taylor is a young and promising poet, and his popularity seems to be extending itself. His position as assistant sub-editor of The New-York Tribune, is not, however, favorable to the development of poetic genius.

SIR ROGER DE COVERLY. By "The Spectator." Ticknor, Reed & Fields, Boston.

This little work comprises the account of Sir Roger de Coverly as given by Addison, Steele, and Budyell, in the Spectator, and which has scarcely its equal in English literature. The author or compiler has, however, with a narrow-minded and ridiculous bigotry, mutilated the picture some in the manner of that *wiseacre* who proposed an edition of the Bible with the improper passages omitted.

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THE

UNITED STATES MAGAZINE,

AND

DEMOCRATIC REVIEW.

VOL. XXIX. DECEMBER, 1851. NO. CLXII.

CODE OF PROCEDURE.*

The codes of civil and criminal procedure of the State of New-York, as reported by the commissioners, have been for some time before the public, and are now before the legislature of that state. Their labors are of the greatest value, and the question of their full adoption or rejection, is of no ordinary importance in reference to the future. Fifty years ago, he, who in his closet should have elaborated results, such as those to which with great wisdom the commissioners, after mature reflection, have arrived, might possibly have escaped with the simple reproach of being merely a visionary dreamer, but more probably would have been looked upon as a dangerous radical, wishing to turn the world upside down; but that such schemes would so soon become realized, is what the most enthusiastic would hardly have conceived. In no state were reforms in judicial procedure more imperatively demanded by the wants, nay, the very necessities of the times. The abuses of the English system existed then in full vigor. Fictions were deemed necessary preliminaries to the truth. John Doe and Richard Roe reigned triumphant in the common law—the very embodiments of English jurisprudence; while the Chancellor, administering what he fancifully termed equity, transferred to the virgin soil of this continent the worst evils of Rome-bred law. The Puritans of New-England simplified the common law, abandoning, to a great extent, its absurd fictions—its many technicalities, its cumbrous forms of procedure—but in this state the frame-work of the common law was brought over bodily. It was seen and felt to be unsuitable—expensive in its procedure, so much so, that everywhere a change was demanded, as well by the popular expressions of the masses, as by the enlightened judgment of the most learned and liberal of the Bar.

The origin of the law is everywhere the same, and its gradual improvement is always through the same processes. Custom, prescription, the opinion of jurisconsults, the decision of courts and the will of the sovereign power, constitute in different proportions the law of all countries. But in process of time, customs became numerous, provincial, variant, discordant; the opinions of courts differ, the decision of one court con-

* The Code of Civil Procedure of the State of New-York. The Code of Criminal Procedure of the State of New-York. Reported Complete by the Commissioners of Practice and Pleadings. Albany: Weed, Parsons and Co., 1850.

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flicting with those of another; the court of to-day with that of yesterday; the present with the past; the sovereign power with bits of reform pieces out the deficiencies of custom, till the evil becomes no longer bearable. The mass of existent law is too expensive to be purchased, too great to be read even by those whose special occupation it is to aid in its administration—unknown to the mass, dimly known or dubiously conjectured by the learned, its light flickering, uncertain, like that of the *will 'o wisp* in its illuminations. Something must be done, and the codifier commences his labors, giving form and authority to the wisdom of jurisconsults, defining and settling, by the judgment of an ultimate tribunal, the quarrels of conflicting courts, and rendering known and definite their opposing decisions.

Codification—the reduction of the existent mass of the various elements which constitute the law of a country,—a legislative digest of decisions, a revision of statutory law accumulating by mere lapse of time, till the mass becomes unwieldy by its own increasing bulk, comes to be an inevitable necessity. The jurisconsults, the Tribonians and Appians, whose labors have given Justinian an immortality which no act of his would have conferred, merely collected and stamped, with the authority of law, what before rested only in the opinion of jurisconsults, or in the conflicting rescripts of preceding Emperors. The Code Napoleon has done little more than to give the sanction of the state to the writings of the most eminent jurists of France. The various codifiers, ancient and modern, have hardly merited more than the moderate praise of having made a digest, more or less accurate, of existing law.

He who should predicate the highest skill in the mechanical efforts of the early ages—who should say that they were the wisest and greatest of human art and science, would be laughed at for his foolish credulity. Humanity leaped not into perfection, like Minerva, in full armor, from the head of Jove. It is equally absurd to expect the greatest sagacity in the rude beginnings of legal institutions. No sane man would anticipate the highest efforts of legislative wisdom from the barbarous Saxon, the piratical Dane, or the warlike Norman. A law is wise or unwise, solely in its relation and adaptation to the state of the times, the social refinement and progress in the arts, the acquirements in science, the extent of the commerce and the magnitude of the manufactures of a nation, where it exists. The refined and scholastic subtleties of Roman jurisprudence would as illy convene the nomadic Arab, as would the Grecian galley of the days of Pericles subserve the purposes of modern commerce. Political or legal institutions, well adapted to the Saxon or the Norman, might be most inexpedient for the great nation which has arisen from their intermixture. The wisdom of law is purely relative. The institutions of the past are only of importance in reference to their fitness for the present. Change, reform, is the inevitable law of progress.

This code, bearing everywhere the marks of a well-considered and philosophic innovation, is to be regarded as one among the innumerable instances of progress. Bentham first called the attention of the public to the abuses of the English law—legion in their number, colossal in their magnitude. At first his views were met with ridicule or abuse, then a reluctant hearing was granted, but now they are in the process of gradual fulfilment. Profiting by his suggestions, the commissioners have taken the lead so eminently fitting the great state they represent, in proposing radical and much needed changes in the law, by which the labor and ex-

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pense of suitors will be diminished, the period of litigation shortened, and just decision, the great end of all courts, be more certainly and speedily attained.

To these changes,—to all changes, whensoever or wheresoever proposed, there will be opposition. All reform is Radicalism in the beginning. The establishment of to-day was the innovation of yesterday. The Conservatism of the present represents the Radicalism of the past, but ignores that of the present, which yet again, in the cycle of events, is hereafter to become the Conservatism of the future. Radicalism inheres in all ideas of improvement. Arkwright and Fulton were Radicals in one direction, Bacon and Bentham in another. The triumphs of the former have immeasurably increased the comforts and changed the commerce of the world. Bacon has stamped the impress of his genius on the philosophy of succeeding ages; and the time is fast approaching, when the proposed reforms of the latter will be as little considered as of doubtful expediency as the mechanical improvements of the former. Were there no other reasons, the uselessness of so much technical learning, of so many nice subtleties, the utter deposition of much that was tedious and dull in the acquisition, so utterly worthless when acquired, but yet has an imaginary value as the representative of labor past and useless, would furnish ground for resistance to all change on the part of a portion of the legal profession. Those who live only in and are guided by the past,—whose motto is "*stare decisis*,"—indifferent what it may be by which they are called upon to stand, no matter how absurd and unwise the decision,—who are governed by the *fact* of decision, irrespective of its reason, will naturally be averse to innovation. Men of the past, adherents to old forms, enemies to improvement, breakers of machinery, burners of stacks, the makers of shrines for Diana, those who are feeding upon abuses and fear their reform, will oppose; but the men of earnest inquiry, of vigorous intellect, indifferent to what exists when not based upon or opposed to reason, will give strength and support to these initiatory steps of reform.

The Roman law had its "*dies fasti et infasti*," its forms of actions, its quibbles "*inanissima prudentiæ fraudis autem et stultitiæ plenissima*;" yet so numerous and subtle, that commiserating the sad condition of a doubting suitor groping in the dark after his lost rights, that it permitted him to bring two suits for the same cause of action, with a proviso that he might elect upon which to rely. The common law had its writs for every wrong, if one could only tell which was fitted for his case, but this he must determine at his peril; its rich variety of antique and worthless lore, which it required, as its sages say, twenty years to master, and when mastered, was much on a level with the vaticinations of the augurer or the *hocus pocus* of the conjurer. Its forms were replete with fictions silly and absurd, which the litigant was bound to indite before he was permitted to enter the temple of justice. No lie, no justice. The pre-requisite for a chance such as the law gives, was the utterance of a falsehood, while the unhappy litigant was beset at every step of his progress by snares more numerous than those which endangered poor Christian in his wearisome way to the Holy City.

But diversity of forms, fictions without number, were not all. In England, and in countries deriving their jurisprudence therefrom, and in those alone, were to be found two conflicting systems of judicature, differing in the name as well as the substance of their initiatory and final processes,

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in their modes of extracting evidence, in their rules of judging of its force and effect, when extracted; and when the facts are ascertained, in the results, as evinced in judicial action consequent upon such ascertainment. The common law was wanting in the powers most essential to a well organized judiciary. It was grossly deficient in its power of enforcement or prevention; incompetent to compel the specific performance of a contract; to prevent or enjoin waste; to enforce the obligations of a trust, or to remedy the mistakes and accidents which are perpetually occurring. These powers, so necessary, equity claims. The jurisdiction was needed; was indispensable to a full administration of justice. But two systems of substantive law, and two courts to administer the respective law of each, the one, upon full hearing, after solemn argument, rendering judgment for a party, which the other, after equally solemn argument, forbids him from ever using, were absurdities, which, if they had not the sanction of time, would not have been tolerated for a moment. Of systems of law thus opposite, of rules of procedure thus diverse, both may be wrong; it is certain that but one can be right. The true principle would be the eclectic. From the various forms of procedure, from the diverse modes of judicial action, from the discordant rules of law which govern in these several seats of judicature, carefully select whatever in either may be necessary and expedient, and thus establish a code divested of the errors and embodying the excellencies of each system.

In both these respects radical changes have been effected. Fictions, lying, wasteful lying, (for it was the remark of some one that a lie was too precious to be wasted,) forms of actions, the specialties of pleading, courts of law and courts of equity as distinct, have been abolished. Parties no longer vibrate, like a pendulum, between the common law and equity side of a cause. The legal and the equitable cease to be distinguished, and one suit presents for judicial investigation, and one court determines the rights of parties litigant. These reforms are of no slight moment; and had no other or greater been proposed or accomplished, the commissioners would have deserved well of the state.

But however desirable the abolition of forms of action and the fusion of conflicting jurisdictions may be, it is in reference to the law of Evidence that changes the most indispensable have been made, and to these we intend more particularly to call the attention of our readers.

Of the rules of evidence, as established by the common law, it may be said, without the slightest exaggeration, that if the knaves and criminals, great and small, had united upon a code, the object of which should be to afford the greatest security to each, consistent with the existence of law—had they held sweet counsel together, with full power to establish rules of evidence which should afford the minimum of protection to society, and the maximum of impunity to themselves, with yet a remote possibility of punishment—it is difficult to perceive how, having any rules, they could have materially improved upon the existent law. Aware that some rules must be granted to pacify the demands of society, the sagacious knave and the discreet criminal would hardly have pressed for rules more favorable to the legal impunity of crime and the successful consummation of fraud, than those which the common law, in its sympathetic wisdom, has so kindly furnished to their hands. It has closed the most obvious and accessible means of information. It has excluded those who, from interest in, or relation to, a cause, would have the best personal—and those who,

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from connection with the party, as husband, wife, or attorney, would have the best derivative, means of knowledge. The individual defrauded is refused a hearing; the party defrauding is not compelled to answer. The criminal rejoices in his own exemption from the dangers of cross-examination, and in that of all those of his fellows, whom conviction may have stamped with ignominy.

That judicial action requires, or should require, for its basis—proof; that this should be sought for from all available sources; that existing, no matter where, it should be rendered forthcoming for the purposes of justice, would seem to be propositions so self-evident as to require neither argument nor illustration. That the sources from which evidence would be sought, should vary in relative trustworthiness, was to be expected—for witnesses in a cause, civil or criminal, cannot be selected in advance. When the burglar will enter the dwelling—when the assassin will stab—when the knave will defraud—when the dishonest will deny or evade the obligations of his contract—neither can be foreseen nor foreknown; for if foreseen or foreknown, the entry of the burglar—the stab of the assassin—the frauds of the knave—would have been guarded against and prevented; the violated contract would never have been entered into. Proof, therefore, must necessarily be had from sources corresponding to the act proved, and from the parties to the act—from the parties to the crime to be investigated—the contract to be enforced—from their accomplices and associates—their friends and relatives. Primarily, without recourse to reasoning or investigation, it must be seen that from such sources, more directly and obviously than from any other, evidence more or less reliable can always be had; that these are natural sources from which to seek for proof. All other evidence must ordinarily be casual—fortuitous—the result of accident, not of forethought. Fortuitous, accidental, unexpected, it will obviously have all the general characteristics of humanity, embracing convicts and atheists, the bad and the good—all who may have had knowledge of the fact to be investigated. The party injured having foreseen no wrong, having pre-appointed no witness, must be allowed to offer whatever exists: his own testimony, for of that alone he is certain—that of his opponents compulsorily, if needed—that of all those who may happen to have knowledge of the matter in dispute; no matter what, in point of character or in degree of interest they may be, he himself suffering, if the testimony, from any cause, is liable to suspicion, in the diminished credence it will receive—or else he must be remediless, and endure in silence the wrong which has been committed. The exclusion of proof of any weight—the slightest—is the voluntary self-deprivation by the Court of the means of correct decision, to the extent of all proof for such cause excluded. If the testimony excluded be the only proof attainable, it is an utter denial of justice. It is like bandaging the eye to aid vision—like imposing manacles and fetters to accelerate motion.

Of the lengthened series of circumstantial facts by which right is sought to be established, and crime developed, it is not to be expected that each fact in that series should be proved by the same kind of evidence, or by witnesses, whose testimony shall, in each instance, have the same degree of probative force. No rule in advance can be established, by which the degree of credit to which a witness is entitled, can be pre-determined. The same law of nature, by which the strength, the complexion, the size, is seen to vary, will equally exist in reference to clearness of perception, strength

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of recollection, and integrity of narration. Whether the intellect of the witness is keen, his memory good, his trustworthiness unimpeachable, can only be known after, and consequent upon examination. Common sense requires a hearing, and a hearing in each particular case, before deciding upon the greater or lesser degree of credence to which the witness may be justly entitled. Of individuals or of classes there is none of which falsehood can certainly be predicated in any particular instance. Exclusion for anticipated falsehood, is decision without and before hearing—decision adverse to the integrity of the witness. The law, in one phase of its action, when the criminal is on trial, presumes his innocence; when a witness is to be called, in all its exclusions, the presumption is guilt, to prevent which, the witness is excluded;—guilt, on the part of the witness, on its own part incompetency, utter and irremediable, else there would be neither fear nor danger in receiving proof, against the truth of which the court seems to be so fully and entirely on its guard.

It is obvious, that the integrity and trustworthiness of witnesses will be exposed to various and conflicting motives; the action of which will vary, at the same time, upon different persons, and upon the same person at different times and under different conditions. However difficult it may be, after the full benefit of examination and cross-examination, and after a careful comparison of the testimony of one witness with another, to award to each the precise degree of credence which his testimony may merit, it is still more difficult to decide this question justly, without such hearing and comparison. Caution, necessary in all cases, may be more particularly required, therefore, when there is danger of undeserved credence; and, in such cases, the legislature may well place the judge of fact on his guard. But caution and exclusion are entirely different. Caution places the judge on his guard against sinister bias, gives him all the possible material for correct decision, but requires prudence and judgment in the use of the materials thus furnished. If the evidence excluded would be true, no possible reason can be given for its exclusion. Whether true or not, cannot be foreknown. Judicial assumption can hardly claim infallibility, yet, excluding such, is its assumption. Misdecision, the excluded evidence being material, true, and unattainable, for any other source, is seen to be inevitable. If the evidence excluded would not be true, that misdecision would ensue from its reception, is by no means certain. If not true, its very falsity, made manifest from other sources, would be an article of circumstantial evidence of no ordinary force in inducing correct decision. Presumed imbecility on the part of the judge, presumed guilt on the part of the witness, the reasons for exclusion. How can the law foreknow that judges, whose capacity is unknown, will be deceived by the testimony of unknown witnesses, of whose integrity they are equally in the dark. But exclusion presupposes a judgment of which it is the consequence, a judgment without knowledge, or the means of knowledge, which determines the future perjury of all witnesses of the excluded classes, and the future incompetency of all judges to justly decide on their testimony, should they be called.

While it is thus clear, then, that no exclusions should be made because no judge nor legislature, centuries in advance, can foreknow or presumably conjecture what in each case shall be the importance, necessity, truth or falsehood of any unknown witness, nor the competency of the future judge of fact correctly to weigh such testimony; nor what would be the conse-

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quences from the admission of the testimony to be excluded, whether favorable or unfavorable to justice, still the common law excludes great masses of testimony, and of those from whom specially the knowledge of facts might be obtained, from those who at all events must know, whether they will truly or not disclose that knowledge.

First in the order of bad rules is that by which interest, whether of a party or of a witness extraneous to the cause, is excluded. The interest is the same, whether the witness is party or not, varying only in amount. The interest of the party may be more or less than of the witness, but the reason of the exclusion, such as it is, applies equally to each. Here is evil, and that continually. At all times needed in the whole progress of the suit and of the trial; and when most needed, peremptorily excluded. The individuals interested, whether parties or not, would seem to be those of whom one really desirous of information would naturally inquire. The interest of a party is a guarantee for the accuracy of his original perceptions and for the strength of his recollections. He may be liable to bias of greater or less intensity, according to his standing, his pursuits, his education, his wealth, and all those various elements which enter into and form the man. But nowhere, save in the realms of the law and in the imaginings of judges, would any such wild hypothesis receive support and form the groundwork of general exclusionary rules, as that all, irrespective of social position, education, wealth, religious influences, from the highest to the lowest, from the most pure to the most abandoned, would, where the smallest pecuniary interest was involved, commit perjury; yet a proposition thus monstrous, is simply a statement of the opinion which the law has judicially given of all men, past, present, and to come: an opinion not the result of any present knowledge or past experience, but the prophetic judgment of the juris-prudential theorist. English jurisprudence presumes both parties without integrity, both so ready to commit perjury as to be unworthy of credit, and that the judge of fact is less competent to weigh, compare, adjudicate upon their testimony when conflicting, than in case of similarly conflicting witnesses respectively called by each. But in every disputed case both cannot be right, either in the particulars or generals of the matter in contest. The party in the right, by the very rectitude of his case, having no falsehoods to utter, is trustworthy, and as such is entitled to a hearing and to a favorable decision—to obtain which, his testimony is or may be needed; yet without thought or investigation he is excluded, and to the utter denial of justice, when his testimony is essentially necessary to furnish the needed proof. But it may be said that it cannot be known which is in the right. True, but it is known, that of each litigated case, one is in the right, wholly or so much, so as to entitle him to a favorable decision, and that his opponent is not; and that of each party the chance is equal at least, that he is in the right, and that whether he is so or not, can better be determined after than without a hearing. The party in the right must always be the sufferer, for truth has an inherent strength, falsehood an inherent weakness; and in that conflict, what reason has truth for fear? Why exclude the right, when the inevitable result must be to favor the wrong. Of two men, one seeking right, the other wrong,—one uttering the truth to support the right, the other falsehood to favor the wrong,—both are refused a hearing, for fear they will both lie, and that the judge will be deceived thereby. But from the necessity of the case, both cannot lie—both cannot be in the wrong as to

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each fact in dispute. The witnesses called by the respective parties differ in their statements. No doubt seems ever to have been entertained, that from amid these conflicting statements the truth could not be elicited. The judge of fact competent to decide when extraneous witnesses differ, why should that competency vanish because the witness should happen to sustain a particular relation to the cause?

But it may so happen, and the law recognizes it as possible, that a party may utter the truth against his own interest; that his testimony may be self-disserving—self-disserving, it may safely be assumed and acted upon as true; but true, it would none the less be excluded; indeed, the very truth of the witness would be the unanswerable argument for not hearing him. It would be hard to utter the truth against one's interest, and in consequence of such utterance be compelled to do justice. It certainly would be so, and therefore the evidence is not to be heard. That it would be much harder to the party in the right to suffer injustice in consequence of being deprived of such testimony, seems not to have occurred—or if it occurred, does not seem to have been considered as affording the slightest reason for compelling the proof. The hardship of uttering truth, the hardship of doing justice, the reasons of the wrong-doer why it should not be done, and the court adjudge them sufficient, lest the feelings of the wrong-doer, civil or criminal, should be injured by being compelled to make reparation, or suffer the penalty of guilt, or to answer questions which might lead to his being so compelled,—he is to be exempted from all adverse interrogation. It would be *so hard* to utter the truth, and in consequence thereof do justice to one whom you have wronged, that no such questioning shall be permitted.

So, whether the party will lie or tell the truth, it matters not; he is equally in either case to be excluded. It is all one to the law.

When trial by battle was the law of the land, and rights of person and property, the guilt or innocence of the accused, were made to depend upon the skill and vigor with which the weapons of the combatants were wielded; when the wisdom of the Almighty, it was expected, would supervene to the vanquishing of the oppressor and the defeat of the injured, this mode of determining guilt or innocence had its strenuous supporters, as rules not a whit wiser now-a-days have theirs. Were this mode of trial the law of the land and the practice of the courts, sage counsellors, experienced judges learned in the law, would be found opposing an alteration as endangering the best interests of society. The wisdom of our ancestors, the terrors of innovation, the timid forebodings of endangered conservatism, would have borne sway, and the clangor of arms, and the streaming blood and the death-wounds of the defeated combatants, would even now be seen and heard, and the results of the combat be received as proof conclusive of the right. Indeed, the same arguments then urged for the continuance of this mode of trial are what the common law judges now deem sufficient for their exclusionary rules. Beaumonsie, like our judges, haunted by fears of perjurious testimony, faithless in the integrity of witnesses, defended the judicial combat, fearing that without it every heir would be disinherited, as it would be easy to find two persons who would perjure themselves if they had no fear of being challenged; "for it would be better to leave to God, to whom all things are open, to give the verdict, in such case, *scilicet*, by attributing the victory or the vanquishment to the one party or the other, as best pleaseth him, than to put it to the country, that is, the jury,

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who for default of evidence may be ignorant of right." So now it is deemed wiser to decide without evidence to the extent of the evidence excluded—and it may be of all attainable proof, than trust the jury, who might erroneously decide. Fear of perjury, alike the reason of the defender of trial by battle and trial without proof to the extent of all exclusions, proceed upon the same principle, the facility with which perjury is committed, and the utter inability of the judge of fact to detect it when committed. The judge of the olden time, fearing perjury, but trusting in God, sent the litigants to battle for right, and determined their rights "according to the victory or the vanquishment" of the one or the other; the modern, with similar fears, but with less trust, relying neither on himself nor on God, deprives those who are to decide of the means of correct decision, and leaves the result, as far as relates to him, to accident.

Position in a cause—interest in its result—conclusive proof of perjury to the judicial mind—the rule of law by which they are excluded, one upon the existence of which the preservation and continuance of society depends—the relaxation of which would endanger the whole community—the lawyer and the non-lawyer will be astonished at the innumerable exceptions to this most sacred principle, found strewn over the whole surface of this branch of jurisprudence—exceptions, too, not one of which can for a moment be upheld, except upon grounds utterly destructive of the general rule. But to the defender of existent institutions, the principle and its exceptional subversion are alike matters of that unreflecting laudation which, as if in sarcasm, has termed the law "the perfection of human reason." To a non-lawyer it would seem, that if the theory of exclusion were true—it would alike apply to all times and circumstances, before all tribunals, and before the same tribunals at every stage of a trial; but he who should look for consistency in the rules of the common law, or uniformity in their observance, will look in vain. While for such grave reasons as have been indicated, the law excludes parties, it will nevertheless readily receive them, provided only one is to be heard in a cause. It seems to have a peculiar passion for trying causes by the halves. Such a thing as hearing both parties in the same cause is unknown, unheard of in all the realms of law and of equity. *Audi alteram partem* is a maxim in no repute. Sometimes one party is heard, sometimes the other; sometimes a plaintiff, sometimes a defendant, heard in one part of the process, rejected in another; heard as to one fact, refused a hearing as to the other facts. Why one is thus taken and the other left, depends upon the judge before whom the cause is to be heard, the style of the process, the form of the writ, the particular fact in issue, or some other reason equally irrelevant to the general grounds of exclusion. This trial by halves may be entitled to commendation as a thought-saving process to the judicial mind. The less proof, the less need of thought, reflection, judgment. Proof on either side, undisturbed by counter evidence, renders decision easy. The admission of one and the exclusion of the other party, is an approximation to that state. When one party only is heard, decision is an easy matter, requiring little thought. Trial by lot would unquestionably be easier; but next to that, in the readiness at which the mind can come to a conclusion, is to exclude one and hear the other. Most cases have, or the parties litigant think they have, two sides; the hearing of both would be no slight inconvenience—and so the happy thought occurred,

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whenever the general rule was to be violated, of hearing but one in a cause.

In common law cases, the preferences are usually given to the plaintiff, when either is to be heard. In all criminal causes, the prosecutor, in England, burthened with the costs of prosecution, here at all events having an interest sufficient to induce his action, the real party using the means and process of the state with which to reach the accused upon whom to avenge his wrongs—the complainant with feeling—revenge to move him—sometimes liable for costs—at all times prosecuting at great loss and inconvenience, is readily received, while the defendant is not permitted to offer the slightest explanations as a witness, and under those sanctions by which the prosecutor is bound. The degraded mother, on a charge of bastardy, guilty by the very fact which alone renders her admissible, which is the reason for her admission, is a competent witness against the reputed father. The law by which more than a given rate of interest is prohibited, has been violated. In no event are both to be heard, and a judgment formed upon their conflicting statements. Either may testify under certain conditions: the defendant, if the usurer is willing to lose his cause, in whole or in part, as the law in different states may vary; if not, the usurer alone is heard. A trunk and its contents have been lost, or converted to his own use by some one having it in charge, and a suit is brought by the owner to recover the value lost. It then becomes material to determine what those contents are, and their value. Were the admission of the plaintiff as a witness made by the court to depend upon whether the trunk had brass nails or tacks—the owner of one with brass nails received, with tacks rejected—there are few who would not ridicule the absurdity of such a decision. None the less absurd is it, when the plaintiff is a witness or not, as he brings trover or case—as the contents of the trunk are jewels or medical instruments, or articles of wearing apparel.* Is a witness to prove the value of the articles lost, not a witness to prove the loss, as if there were some valid grounds? Why, truth, (the probable want of which is the ground of exclusion,) was more to be expected in relation to the value than the fact of loss—whether the article was one thing or another—or would be more likely to be uttered if the attorney should bring trover rather than case. A continuance is required on account of the absence of a material witness—a paper upon which depend the rights of a party is lost—the result may depend upon whether delay shall or shall not be granted—whether a copy shall or shall not be received; the same judge, who would consider perjury certain, if these facts were to be sworn before a jury, will, without hesitation, make them the basis of his own action, provided only they are uttered without any of those securities so essential in the extraction of proof.

In equity, the preferences are altogether for defendants. Equity jurisdiction is based on fraud, trust, or accident. That the defendant has committed a fraud, violated a trust, or taken advantage of an accident, and that at common law he is without a remedy, are the grievances of which the plaintiff complains, and these grievances constitute the special reasons why the defendant is to be heard—that "this act of the adversary" (bringing a bill, rendered necessary by the misdoings of the defendant)

* 1 Greenleaf's R. 27. 26 Maine R. 460.

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"may be regarded as an emphatic admission, that in that instance the party is worthy of credit, and that his known integrity is a sufficient guaranty against the danger of falsehood."* The same judge, changing the name of his process from writ to bill; his official designation from judge to chancellor; the parties the same, save only in the change of their position; the amount involved the same; the question the same, which he has once decided at law, and in which he would have been horror-stricken at hearing either party;—the defendant decided by him in his common law-robes as a dangerous witness—convicted in advance, of ineradicable mendacity—fore-ordained to eternal untrustworthiness,—when the suit is termed bill, and the same judge is asked to enjoin the judgment which he has rendered in accordance with the law; the same defendant, whom, as plaintiff, he deemed a liar, by the fact of his position, he now finds, by the peculiar virtues of equity, clothed with righteousness, as with a garment, to be entitled to a super-ordinary and unexpected degree of credit, and invariably renders judgment in accordance with his answer, unless it should be contradicted by two witnesses, or what he may deem equivalent to two witnesses. The defendant interested, liable to bias from the stakes dependent on the issue of the contest, if contradicted by an extraneous witness devoid of interest, one would think the chancellor, by analyzing and comparing their conflicting statements, might ascertain the truth; but no such thing does he do. He has an invariable rule for all such cases, which saves all thought—all investigation: "He will neither make a decree, nor send the cause to be tried at law: he will *simply* dismiss the bill."†

In the case of an extraneous witness interested in a cause, sometimes the interest excludes—sometimes not. Policy—necessity—words with which the lawyer plays, as the juggler with his cups and balls, suffice for admission or rejection, as if there were any policy in receiving testimony, which would be detrimental to the cause of truth; as if there was any necessity, which would justify the hearing of what the same judge has over and over again declared would lead to deception. If policy or necessity will not admit, a release always will—the witness releasing showing by the very fact of surrendering his pecuniary interest, that there is some more powerful motive than that which he has released operating upon his mind, and inducing his action. Nor is this all: the law goes out of its way to create, by rewards to informers, the very interest of which, if it arises in the natural course of business transactions, it evinces such a holy horror. But why investigate the shifting and evanescent distinctions—the discordant and contradictory rules—so discordant and contradictory, that one can hardly tell whether a case is without or within the shadowy line. They are all found written out in the various treatises, whose main object it is to show to what extent, and why, the most obvious and natural sources of testimony are to be excluded from the consideration of the court.

We have thus particularly called the attention of our readers to the proposed reforms in reference to the admission of the party and of interested witnesses, because we deem them the most useful and important of any which they have proposed. Lord Denman's act goes no further

* 1 Greenl. Ev., 379. † 1 Greenl. Ev., 298.

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than the admission of extraneous witnesses, when interested. It is not very easy to perceive in what the dollar of the party in peril differs from the dollar of a witness in the same peril—nor how an alteration of the common law, by which the latter is received to testify, can be justified by any course of reasoning which will not apply equally to the former.

Another ground of exclusion is, that of infamy. To be sure, "it is a point of *no small difficulty* to determine precisely the crimes which render a witness *thus* infamous. When once this difficulty is overcome, the convict is not allowed to testify, because he is deemed "morally too corrupt to be trusted to testify: so reckless of the distinction between truth and falsehood, and insensible to the restraining force of an oath, that it is rendered extremely improbable that he will speak the truth at all."* The crime, however atrocious, and however fully admitted, never of itself excludes. With the old Spartans, theft *per se* was well enough—nay, more, approved and commended; the detection, it was, which was considered worthy of punishment. So with the common law, the judgment it is which excludes. The avowed and boasting thief, the acknowledged but unconvicted perjurer, are received without let or hindrance. The accomplice, testifying under the expectation of pardon, or the hope of reward, equally guilty with the accused, whose conviction he is seeking to procure, is heard, and to his testimony, laden with the guilt of crime, and the hope of pardon, and the expectant perjury of interest, the law takes no exception. But even the judgment will not exclude, if the conviction has taken place in a state other than that in which the witness is examined; this "insensibility to the obligations of an oath," this recklessness "of the distinction between truth and falsehood," this moral corruption of the witness, being "strictly territorial." If from the conviction of a past crime, the inference is conclusive, that the individual so committing will, when called as a witness, commit perjury—why is it not equally conclusive, when the offence was committed one side of a state-line as the other? If, on the other hand, the evidence of convicts from other states has been or can be received, without danger to the interests of justice, then conviction "being shown in diminution of the credit due them," what reason can be given why the law cannot be safely changed, and all convicts be allowed to testify, subject to such deductions from the weight of their testimony, as in each instance, the jury hearing their testimony, shall deem meet and proper?

The absurd and evil consequences of this rule was most strikingly illustrated in the trial of Abner Rogers for the murder of Charles Lincoln, a warden of the Massachusetts State Prison. The accused was a convict, and the only witnesses by whom the crime could be proved, were the fellow-convicts of the prisoner. That they saw the crime when committed, if committed; that there were no motives, perceptible at least, which would be likely to induce false testimony; that they were willing to narrate what they saw; that without their testimony the alleged crime would go unpunished, they being the only witnesses by whom it could be proved, were reasons which would have been considered sufficient, by an unlearned layman, ignorant of legal rules, to have at once received their testimony, and, after making such deductions as the tarnished character of the witnesses would seem to require, to have acted upon such testimony in ac-

* 1 Greenl. Ev., 417.

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cordance with the convictions of his understanding. It would never have occurred to him, that to procure a chance for the conviction of one, all the convicts whose testimony might be important or necessary for conviction, should be turned loose upon society, and that this was a matter of legal necessity, so stringent, that if not done, the legal impunity of the criminal was a matter of the most entire certainty. Not so the common law. That presumed the prisoner innocent, and in this case the verdict of the jury was in accordance with this presumption. Yet five individuals, convicts, whose guilt was as satisfactorily established as guilt ever can be, justly suffering the penalties imposed by law, were pardoned, not on account of any good conduct or peculiar veracity of theirs, but simply, that thereby they might be made competent witnesses. A sixth was called, but no pardon being produced, he was rejected. A just punishment for an offence committed was, in each instance of the pardon, remitted. The punishment of innocence, and the escape of guilt, are both disastrous to society. The remission of a just and fitting punishment of a crime, for a cause totally unconnected with the character or conduct of the pardoned convict, is an evil great in proportion to the justice of the punishment thus causelessly remitted. For a chance at one whom the law presumes innocent, any supposable number of guilty may be relieved from the punishment which the same law has decreed they of right should suffer.

But why pardon? Is there any magic in the virtues of the "great seal?" Does it resemble, in its moral efficacy, the royal touch in its healing virtues? The one heals disease: does the other cleanse from sin? Does the great seal remove "this presumed total disregard to an oath?" Does it confer new sensibilities to its obligations? Why, in the case referred to, were five convicts pardoned? Did the "great seal" change the evidence which these convicts would have delivered, from falsehood to truth? Were these witnesses, after the pardon, any more deserving of confidence? Was their testimony any more likely to be true than that of their fellow-convict, who was not among the lucky ones from whom all moral taint was removed by the supernatural virtues of a "great seal?" If the trustworthiness of the witness is not increased, nor his testimony changed, then of what conceivable benefit is the pardon? Does it enlarge the sagacity of the judge, or increase the discernment of the jury? If not; if no effects ensue from this mummery; if the trustworthiness of the witness is not increased, nor the capacity of the judge enlarged, nor the acuteness of the jury increased, then all that has been accomplished is, that criminals, expiating their offences by suffering the appointed punishment, are turned out again to commit depredations; justice is defrauded of her due, and nothing whatever has been gained, save by the criminal; for the pardoned witness might just as well have been heard without the pardon as with; as well permitted to testify when his offence is evidenced by a judgment, as by admissions; when committed within as without the state; when the trial is had, leaving it to the jury to place such reliance on the testimony as they may think, under all the circumstances, it is entitled to. If competent to judge of the veracity of a pardoned convict, will they be hopelessly at fault if the convict should come before them without any pardon?

The truth is, the pardon is a silly device to evade the consequences of a bad rule. But this it does not necessarily accomplish. The prisoner may need the testimony of a convict to establish his innocence. The pardon so necessary to technical competency, so unnecessary to testimonial

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veracity, depends on the will of the executive magistrate of the state, and it can hardly be supposed, that he will pardon proven guilt for the purpose of facilitating the escape of a prisoner, though, if not done, even innocence should suffer. The rule is full of evil, and that continually, without a particle of alleviating good. Important witnesses may thus be shut out, the truth excluded, and justice be perverted. The consequences will fall, not on the party guilty—the convict—for to him the utterance of testimony is a matter perfectly immaterial, but on the party in the right, who is entirely without fault, and whose misfortune it is to be thus deprived of testimony which may be true and necessary to the attainment of just rights. Experience has fully shown, that no evils have resulted from the admission of the accomplice, or of pardoned convicts; and if none in these cases, there can be none in any. The rule inflicts punishment on the innocent, who need the excluded proof; in every aspect is wrong and absurd; and the only wonder is, that it has so long continued.

The commissioners, while they have, upon solid and unanswerable grounds, abolished exclusions resulting, heretofore, from interest and infamy, have been contented with merely modifying the common law in relation to the admission of the testimony of husband and wife, or that of the attorney. So far, however, as they have modified it, by even granting conditional admission, they have, to that extent, improved it; for such is the law on this subject, that it is difficult to conceive of any alteration which should not be an amendment. They have, in the case of the clergyman or priest, and the licensed physician or surgeon, added two instances of exclusion, qualified to be sure, heretofore unknown to the law. This is done with great doubt on their part. The modifications of the existent law as proposed, relating as they do to rules of no trifling importance, would seem to demand consideration:

"There are particular relations in which it is the policy of the law to *encourage confidence, and to preserve it inviolate;* therefore, a person cannot be examined as a witness in the following cases:

"1. A husband cannot be examined *for* or *against* his wife, *without her consent*, nor a wife *for* or *against* her husband, *without his consent*; nor can either, during the marriage or afterwards, be, *without the consent* of the other, examined as to any communication made by one to the other during the marriage. But this exception does not apply to a civil action or proceeding by one against the other, nor to a criminal, or proceeding for a crime committed by one against the other.

"2. An attorney cannot, *without the consent of his client*, be examined as to any communication made by the client to him, or his advice given thereon in the course of professional employment.

"3. A clergyman or priest cannot, *without the consent* of the person making the confession, be examined as to any confession made to him in his professional character, in the course of discipline enjoined by the Church to which he belongs.

"4. A licensed physician or surgeon cannot, *without the consent* of his patient, be examined in a civil action as to any information acquired in attending the patient, which was necessary to enable him to prescribe or act for the patient.—§ 1710.

"Whether even these four exclusions should all be retained, is a question, say the commissioners, not admitting of an easy solution. Neither Livingston nor Bentham admit the exclusion in the case of husband and wife. The only exclusions which Mr. Livingston admits, are those of a lawyer and confessor. The only one allowed by Mr. Bentham is that of a confessor."

"All persons, without exception, who, having the organs of sense, can

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perceive, and perceiving, can make known their perceptions to others, may be witnesses," is the general rule adopted by the commissioners, after careful consideration of the subject. These exceptions they allow, because "it is the policy of the law to encourage confidence, and to preserve it inviolate."

In receiving the testimony of the party and those interested, it seems to us that the commissioners have settled the question, and against the very exceptions which they seem, doubtingly, to have suggested. Receiving the testimony of the party, the reception of those connected with him, however close the connection, would seem necessarily and inevitably to follow; for, however strong the tie, whether domestic or professional, its pressure would never be so great in intensity as would be that of the personal interest of the party; that is, the derivative interest of the attorney or the wife, in the affairs of the client or the husband, would never equal the original interest of such husband or client. Hence, when once the primary interest ceases to be a ground of exclusion, much more should all derivative or associated interest be received. If no fear of falsehood, no dread of perjury, no dreaded hardship, in uttering self-deserving truth, have sufficed to exclude the party, certainly they must be insufficient to exclude all lesser interests.

"To encourage confidence, and preserve it inviolate." That under certain limitations, confidence should be encouraged and preserved inviolate, may be, and undoubtedly is, true. But the compulsory utterance of testimony, in accordance with the provisions of the law, can, in no sense, be considered a violation of confidence. In certain relations, with or without legal encouragement, confidence will naturally arise. The very fact of the existence of the relation of husband and wife, attorney and client, confessor and penitent, and physician and patient, necessarily implies antecedent confidence. Without it, the marriage relation is never formed, the attorney is without a client, spiritual consolation is unsought, the aid of the physician is never required. Precedent confidence is implied in the inception of these relations, and their duration is based on its continuance.

The preservation of confidence may be right or wrong; that will depend on the confidence sought to be preserved, what confidence there is to be encouraged, and, being encouraged, to be preserved inviolate; that between those in the right, between those seeking no wrong and violating no right, a confidence compatible with the great ends of justice, none other. The confidence between associates in fraud, between accomplices in crime, is not of such a nature that the interference, in its favor, of the law, is either necessary or desirable for any of the objects of good government. The knave or the criminal reposes confidence, no matter in whom. What claim has the confidence of guilt or of fraud to legal inviolability? Is not the protection of this sort of confidence, the encouragement of crime, the support and aid of fraud? In the right, all confidential relations, being true, will, if communicated, subserve the right; that is, being in accordance with, and favorable to, the great ends of justice. The exclusion does not rest on doubtful truth of such communications; it assumes their truth, and for that cause excludes. It is the wrong-doer, civil or criminal, alone, whose interests will be jeoparded by the legal disregard of such confidential relations as he may see fit to make; and it is difficult to perceive what claims he has to the protection of his interests over those of the party in the right.

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The exclusions are for the benefit of the wrong-doer, and for his benefit alone. In the right, all confidential communications necessarily establishing, as they must, the truth, for a confidential communication of falsehood, by the party in the right, is not supposable, the party so communicating them could have no objection to their introduction. No matter how confidential the communication, their judicial promulgation would never be to him a source of regret. It is only when the facts communicated are self-deserving, injurious to the communicant, being true, he being in the wrong, that the disclosure of such communications would be a source of grief.

But by the previous provisions of the code, the party being a witness, either at his own instance or that of his antagonist, and subject to cross-examination, of what conceivable importance can the preservation of confidence be to him, when he is himself liable to examination in reference to all facts? Examinable himself as to confidential communications, the exclusion of the persons to whom they were made can only be of importance to him when, being in the wrong, and intending, if examined, to misstate, he is reluctant to have his testimony, thus given, contrasted with what he has previously communicated under the secrecy of confidence, and he is unwilling to have this check upon his testimony; or, not called by his opponent, and not daring to proffer his own testimony, he wishes to conceal the truths he has communicated. In other words, like all parties, he is opposed to the reception of testimony which may be injurious, not because it is not true, but because, being true, it will tend to promote the ends of justice, what, of all things, he is solicitous to evade.

By the provisions of the code, neither husband and wife, attorney, clergyman, nor physician, are necessarily excluded. Indeed, they are all received when the party whose confidential narrations are offered, is himself a witness; for being a witness is, by the statute, determined to be consent, on his part, to the admission of this proof. Unless then a party wishes to be a witness, his confidential relations are not admissible. If compulsorily a witness, still they are rejected. When, and under what circumstances, the admission of this testimony being "by consent," will such consent be granted? The testimony being admissible only upon the consent of the party against whom it is proffered, it is obvious that the party needing or requiring this testimony can never rely on having it when most necessary for the maintenance of his rights. Indeed, the more necessary he may deem it, the less likely is he to obtain it. Consent is in vain to be expected from the party whose interests are thereby to be disserved. It will never be given save and except when it is expected or known to be favorable to the party in whose power rests the question of admission or rejection.

Here, then, may be important evidence—important to any imaginable extent; and the question of its reception is made to depend, not upon its truth—its materiality—its necessity to protect the rights of the party offering it—not upon the will of the judge before whom the cause is being tried, but upon the will of the party whose rights are to be adversely affected thereby. The power over testimony is thus placed in the hands of the last person upon whom such authority should be conferred. The cases where consent is withheld, will ordinarily be, where this testimony is most especially needed. Now, because a party will not consent—does not wish to hear testimony,—what reason is that, why it should not be re-

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ceived? If the wishes of the criminal or wrong-doer are to be consulted, what testimony adverse to his rights is there, to the reception of which he would consent?

The testimony of the wife, in the case of the husband, either received at his instance, or compelled at that of his opponent, will either coincide with or vary from his previously received testimony, if he has been a witness. If it coincides with it to that extent, provided the judge is satisfied of the integrity of such coincidence, additional and important testimony is received to strengthen conviction, and to render more stable the basis of decision. If the testimony of one varies from that of the other, or is opposed thereto; here then is a most important element in the final disposition of the cause, which, if the first received testimony were false, must be considered indispensable to correct decision. The now excluded testimony true and agreeing with the previously delivered testimony, gives additional weight to what had been thus received. Whether the husband has been or not a witness, the importance of the wife, either to the husband or to his antagonist, is precisely the same as that of any other witness of equal credibility. It in no manner depends upon whether the husband has previously testified or not. Exclude this testimony, you, to just such extent, take away from the judge of fact the means of rendering a just decision.

Whether this testimony or any testimony will be true or not, cannot be known in advance. The means of determining its truth cannot exist before it is heard. When heard, then, first, the question of its truth arises for determination. If false, it falls within the category of all false testimony; if perceived, no evil ensues. That being false, its falsehood will be perceived, is as probable as that the falsehood of any testimony will be perceived. The objection stands no stronger against this, than against all testimony, for of all it is a contingency, that it may be false; and if such contingency is a sufficient reason for rejection, it is so for all proof, unless and except when the gift of fore-knowledge is granted to the judicial mind. He therefore, only, who can foreknow, is justified in excluding, lest, without such fore-knowledge, he may exclude the truth.

What courts, seeking to do justice, of all things need, is the truth; and we think little of that domestic felicity which would be destroyed by its utterance, or depends for its continuance upon its suppression.

We regret, notwithstanding the modifications the commissioners have made upon the common law, that they should, to any extent, have clothed with inviolable and compulsory secrecy the communications which the client may make to his attorney. We consider this rule as one dishonorable and degrading to the legal profession, injurious to the public, and entirely unnecessary to a client for any proper and legitimate purpose.

No especial and protected legal confidence is required, in the ordinary business relations of life. The relations of partners, of principal and agent, of banker and clerk, of trustee and *cestui que trust*, are of the most confidential nature, may require the highest degree of mutual confidence, may involve the greatest pecuniary interest; yet, when needed for the purposes of judicial inquiry, communications ever so confidential are required to be disclosed. The secrets of friendship, the relations of parent to child, of brother to sister, are not permitted to be withheld. Now,

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the relation of attorney and client is purely a business relation, having neither the sacredness nor the mutual confidence of friendship nor of kindred, involving to be sure great pecuniary and personal interest, and in reference to which the attorney is to act as an agent for the principal. In all other cases, communications never so confidential, are compulsorily required, if supposed by the party requiring them to be necessary for the protection of his rights.

The reason for the protection thus thrown over professional in preference to all other business communications, is for the alleged protection of the client, for "if not protected, no man would *dare* consult a professional adviser with a view to his defence or to the enforcement of his rights: and no man could *safely* come into court, either to obtain redress or to defend himself." If the client is in the right, it is obvious that the communications he will make must be true—he could not *safely*, he would not *dare* do otherwise than to state the truth. Communications of false facts would endanger him. If then in the right, and making true communications to his attorney, he cannot object to what, if communicated, would aid him. The wrong-doer alone will object, for he alone could suffer by untrue communications he might make to counsel. But the facts communicated being necessary for the purposes of correct decision, so far as that is concerned, it is entirely immaterial from whose lips they proceed. "No man would *dare* consult," &c. This would depend entirely upon what was to be communicated. As for all honest claims, as for all just defences, the client would have full power to communicate, and without fear or danger. The confidence between wrong-doers and their confidential advisers would be restricted or destroyed. The knave or criminal knowing that all disclosures he might make could be compulsorily extracted from his attorney, will withhold them. He may thus lessen his chance of escape, he may thus be crippled in his attempts at eluding justice. Is that a source of fear or regret? The criminal and the knave will have accomplices, but is it desirable that they should thus be furnished with accomplices clothed with impunity—the recipients of dishonest secrets, and exempt from inquiry? Were the rule entirely abolished, the relation, whenever it existed, would be confined within the bounds of integrity and enlightened public policy.

As will be perceived, we entirely coincide with every change so far as made; our only regret is that they have not adhered to one simple rule—uniform admission of all, under all circumstances whatsoever.

While thus no witness should be excluded, so no testimony, however inferior in trustworthiness, if of any force, and the only attainable proof, should be rejected. The best evidence should always be required—"*not the best evidence of which the case in its nature is susceptible*," but the best evidence, which exists and is attainable. The theoretically best evidence may have ceased to exist, but that affords reason why resort should not be had to evidence inferior in degree, but still the *best* remaining. It is what the law does in many instances, and we see neither reason against, nor dangers in the extension of the rules of law so as to embrace cases not provided for:—

"The act, or declaration, verbal or written, of a deceased person, in respect to relationship, *birth*, *marriage*, or *death* of any person *related* by blood or marriage to such deceased person: the act or declaration of a deceased person, done or made against his interest in respect to his real property: and also in criminal actions, the act or declaration of a dying person made under a sense of impending death, respecting the cause of his death:"—§ 1704.

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This, we believe, is substantially a provision of the common law, a wise one, unquestionably. It is one which has been acted upon for years, and no practical evil is asserted or known to have arisen from it. This kind of evidence, upon well-considered grounds, has been deemed admissible in reference to marriages, births, deaths; the most important events in any man's history, and upon which depend his property and social position. These declarations relate to facts most important in the legal consequences depending on them. But these are not the only facts which become the subjects of judicial inquiry; they are as numerous as the wants and necessities of humanity. The deposition of the same witness taken in another cause, his letters, his recollected and reported conversations, not sworn, not cross-examined, inferior in trustworthiness, because wanting in the ordinary securities for truth; seen to be thus inferior, and consequently liable to deduction, are in existence, have an important bearing upon the cause on trial; and the question occurs, shall they be received? Whatever the reasons which render this sort of evidence admissible when the inquiry is in relation to the date or fact of a marriage, the birth or death of a child, they apply with equal urgency to the admission of any other fact. Is necessity the reason?—it exists alike in each case. Is there any magic in the fact of birth, death, or marriage; by which the declarations of a deceased person, if made in reference to them, would be more likely to be true, than if made in reference to any other controverted fact?

So the declarations of dying persons are admitted in criminal cases, when relating *to the cause* of his death, and rightfully admitted. Yet the dying man can hardly be supposed as entirely free from feelings of bitterness or ill-will against the author of his death. The testimony is hearsay—reported—subject to all the dangers attendant upon such proof; with the securities of oath or cross-examination—whatever the dying man may utter, received—whatever he may withhold, forever shrouded in the darkness of the grave. But notwithstanding all these objections, this proof is admitted. But it may happen that the blow of an assassin caused immediate death—the only witness to that blow, on the bed of death, with instant dissolution before him, clearly and calmly narrates the facts which establish guilt. The dying man has no feeling of animosity to any one rankling in his bosom. Here, too, is no oath—no cross-examination—the deficiencies in that respect the same in each case; still the declarations of the witness without feeling are rejected, while those of the witness with, are received. In the case of murder, if there be falsehood and conviction, and punishment following such conviction, the consequences to accused are irreparable. The cause may be civil—property on any amount may depend upon receiving proof of the declarations of a dying man; the danger of this species of testimony, whatever it be, can never be equal where property is involved, to that where life is at stake: yet this evidence, inadmissible to establish the most insignificant right of property, is received without objection, when reputation and life are in peril.

If these various violations of the rules of law as to hearsay, none the less violations because termed exceptions, are found not merely not unobjectionable, but positively necessary and desirable, even in relation to the most important facts, what reason is there why the exception should not be enlarged into the rule, and no testimony, coming in the best attainable form, be excluded?—that the best existing evidence should always be re-

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ceived, notwithstanding there might, in some time past, have been better evidence, which has long since perished.

We have now particularly called attention to the portion of the code relating to the law of evidence, because the reforms there proposed are of the highest moment. No branch of the law can compare with this in importance. Without evidence, or with bad rules, there can be no effectual administration of the law; without it, the judge of fact is like the Israelite deprived of straw; rights of person and property are unprotected, and crime is unpunished.

We had intended to have called attention to other portions of this important head, to the different rules of extraction, hardly inferior in importance to those of admission, to that perjurious mass of affidavit evidence pervading the whole texture of the law, infesting a cause during its whole progress, where, provided only the ordinary securities for truth are abandoned, the court receive and act upon testimony, which, at the next step in the progress of the cause, they will not listen to for a moment. To the equity mode of extracting proof, by firing off written interrogatories and cross-interrogatories to a witness, closeted in some examiner's office; each question proposed without the slightest knowledge of any previous answer, without means of elucidating what may be doubtful, or rendering certain what may be equivocal, which the commissioners have for ever terminated by allowing, in all cases, *viva voce* testimony; and, to have compared these miserably inefficient modes with that adopted before a jury; a mode which, more than anything else, protects the rights of parties, and is the true reason why the trial by jury has so strong a hold on the affections of the people. But we fear we have already exhausted the patience of our readers.

As a whole, the code will commend itself to the public, as one of those great works which have conferred so much honor on the Empire state. The great canal of Clinton developed the material interests of the state; but important as are those material interests, there is nothing that can compare in importance with a wise and liberal code of laws, ably and impartially administered. Such a code, after great labor and research, the commissioners have prepared; and it will ever remain a lasting monument of their sagacity, their learning, and their ability.

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TIME AND ITS ADMEASUREMENT.*

For the last half century the world has laughed at the *Bourjeois Gentilhomme.* "*Aprés, vous m'apprendrez l'almanach pour savoir quand il y a de la lune et quand il n'y a point.*" The idea of Moliere in putting such a remark into the mouth of Mr. Jourdain, was very different to the opinions we must entertain on reading it. The French dramatist, master as he was of his art, and deeply skilled in humanity, for once overshot his mark. Instead of finding folly in the request, we trace strong good sense in it; and we think that we may with tolerable safety assert, that not one man in a hundred, possessing a general stock of information, will assert that on this point he is quite at home. To many, saving and except the date of the day of the week on some occasion, an almanac has little interest. There are a great many unknown symbols and long columns of figures, which appear to have little connection with every-day life. Thus, we contend, that there is much to learn in an almanac, and an hour bestowed upon what is to be taught, may prove neither uninstructive nor without interest.

The book before us is the twenty-second volume of the series, and we are told in the preface, that great pains have been taken to make it a manual of reference. We believe this to be the case; and those who write much, would do well to have the volume on their office table. We do not intend, however, offering any remarks on its multifarious contents. The index, extending over four columns, embraces a great many subjects, from the absorption of heat to the signs of the Zodiac, far too many for us to allude to, further than to say that they appear to be compiled with care. Our business is with one great fact—time.

It needs no repetition, for it is a word in every body's mouth, how fast time flies; but how few are there, in spite of the daily warnings we have of life's rapid progress, ever yet thought what time is. All of us must remember our copy-book maxims, which, beginning with half the letters of the alphabet, sententiously pointed out the passage of the old tyrant; but these seem to be forgotten with the canings they generated. Clocks, too, furnish their moral. Sun-dials are not deficient in warning; and uncles and aunts gave us, with their periodical half-dollars, the best of advice to improve the present hour. But little heed have young heads how moments pass by. Thus run quickly on the sands of existence; and chronicle is added to chronicle. We have our bright moments and our dark years, as Dumas says:

"*La vie, en a point de duree, elle ne consiste que de malheurs et de bonheurs—Les bonheurs font nos moments, les malheurs nos siecles.*"

Still we grow old and older, till some fine morning, we find the hand of time has not been laid lightly upon us. We feel we have lived, and that the best of us is in the past. We conjure up again what has been—to think of the brightness of happy hours, and the darkness of melancholy ones; and in the true Mahomedan spirit, we range our dates

* The American Almanac and Repository of Useful Knowledge, for the year 1851.—Boston: *Charles Little and James Browne.*

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from some epoch—some event, perhaps one of suffering, which made us better and wiser.

As has been intimated, the object of the writer is to group together a few facts and figures, in the endeavor to show the economy of time—how its notation and measurement have been conducted. Perfect as it now may be said to be, the calendar is one of the greatest wonders of the human intellect; but it has taken centuries to be raised to this standard. The improvement was slow. It came neither intact from one country, nor from one individual. Nearly every land has added its mite to the common stock, and men of the highest genius have left their impress on the work. Alike, they had one book to study from—nature—the heavens—the earth—and their research was observation. Few who have not looked into the subject, are aware of the various attempts to mark the civil year correctly, and their surprise will indeed be great, when we add, that it was only in 1752 that the cycle was definitely determined; it having taken, according to the calendar of the Jews, upwards of *five thousand years to determine what one year is.*

The speculation on the period when time began, is foreign to our subject. Our object is to allay doubts, not to excite them—to show the harmony reigning throughout creation—how day and night, and light and darkness, are equally apportioned to the habitable parts of the globe; and not to submit knotted questions, the very form of which suggest difficulties. Whether time, as the component of eternity, dates from an epoch antecedent to the law, which called the myriads of systems into existence, or whether it came forth from chaos, with the Zeus, or Jupiter, or First Cause—or, to speak with the reverence of belief with our Almighty Maker—matters little to our subject. Common sense rejects the consideration of these points. For great as may be the lever of human intellect, it needs a fulcrum, as a centre, to revolve upon, which we must find not in speculation, but in fact; and for us, poor mortals, to seek for facts before even the amorphous matter, out of which our earth was formed, floated in infinite space, is idle and unprofitable.

But when we turn to the record of the creation, we have at least some guide to our research. The inspired historian of the event tells us, that in the beginning God created heaven and earth. And the earth was without form and void. Then the spirit of God moved upon the face of the waters, and, at the divine command, light gleamed from heaven. Experience and astronomy teach us, that the light which we enjoy on this earth is the rays of the sun. This light we read in the holy writ, was the first of the blessings sent into being. It seems to us that the fact is one of importance, speaking astronomically—for the mandate, let there be light, created the sun round which we move. It is true that, in the 16th verse, Moses tells us that the sun was made; but this does not destroy the fact, that light had been previously called forth. Indeed, it would seem, rather that a regulation of the system of that sun can be traced by a paraphrase of the words, to the effect "that the sun was made to rule by day." For there is no obvious cause of belief that light was ever different to what it is now: and if light were first elicited, the sun naturally came into being—for the rays of the centre of our system, then as now, generated that light. The economy of time—its laws—and its equable variations, were all preordained, but it was not until the fourth day that its motions were established. Then God said, "Let there be light in the firmament," we

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read in the 14th verse, "to divide the day from the night, and let them be for signs and for seasons, and for days and for years."

Six days passed, and the work was complete; and "it was good." It naturally comes within our province to inquire what these days were. It is customary with many to suppose that they were ordinary days—an astronomical passage of the earth. But Moses evidently had no such idea. He says, in the 4th verse of the 2d chapter, "These are the generations of the earth," showing, as it were, that the term day is used in a figurative sense—similar as we speak of "our day"—a man's days are ended; his day was a prosperous one. And we must be careful in taking, in a literal sense, all that is said about the creation, for the Book of Genesis is not a treatise on astronomy. It assumes to give no history of the heavens. It is a record of the earth, and we must not wonder at the deficiency of astronomical allusions, although there can be little doubt but that the Jews were versed in the most ancient and venerable of the sciences. In the Book of Job we find mention of *Arcturus*, *Orion*, and the *Pleiades*, names by which, at this day, we distinguish the star and the constellations in question. By many, Moses is supposed to be the writer of the history or poem; and we have the authority of Saint Stephen for saying, that "Moses was learned in all the wisdom of the Egyptians, and was mighty in words and deeds."* Hence it is evident, that the studious simplicity with which the heavens are alluded to in the first chapter of Genesis, is not the result of ignorance. No better proof of this can be adduced than the Book of Job, which, if not the work of Moses, was written by a contemporary. At this period Egypt was famous for its astrology—a science, it is almost needless to say, having its basis on astronomy—on direct observation. Prior to the day of Moses, Abraham had taught astronomy in Egypt with success; and in the 5th verse of xv. Genesis, we find the record, that God himself directed the attention of the patriarch to the heavens. Indeed, tradition assigns to the Jews an early knowledge of science, and relates how Seth, the son of Adam, who had been foretold by his father of the destruction of the world, erected two pillars, one in stone and one in brick, on which he marked his discoveries—thus to be proof against fire and water, so that his knowledge should not be lost to the world; and Josephus adds, that they were standing at his day. Moses, therefore, could not have been ignorant of astronomy; the probability is, that he first learned it in Judea, and subsequently obtained pre-eminence in Egypt, as did Thales, the father of Greek science. The term "day" has the greater reason to be taken in a figurative sense. Nor is the opinion of the early creation of the sun by any means a modern one. It was entertained by one of the fathers of the church—no less a person than Origen—"No one of a sound mind," says that good man in his περι Αρχον, "can imagine there was an evening and a morning, during the first three days, without a sun."

Proof could be given of numerous passages in scripture, where the term day is used in the sense we claim for it. We will adduce but a well-known one, to which it may have been the lot of many of our readers to listen, with sad hearts.

"For when thou art angry, *all our days* are gone. We bring our years to an end, as a tale that is told."

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* Acts, vii., 22.

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Oriental scholars agree in the opinion that, both in the original Hebrew and the Arabic, the word admits of a very wide interpretation. It is, however, a question not to be decided by an incidental mention in a paper of this character; and it boots little whether it was in 6,000 years, or in 600 days, that the Great Author of our being perfected this beautiful earth, forming it from an unshapely chaos, to teem with loveliness, and to bring forth the fruits of the earth. On one point all are agreed, and that is, the number six. However much we may speculate, and, we trust, without irreverence, on the length of the day of which the six were composed—the number of those days which led to the institution of the week, the oldest division of time on record, which God hallowed. With the exception of the Romans—whose calender was, in every respect, an unskilful one—it was universal with all nations, which pretended to the least civilization—with the Egyptians, the Arabians, the Assyrians, the Greeks, and even among the Brahmans of India. Laplace has well termed it the most ancient monument of astronomical knowledge.

Day and night were thus manifest from the beginning, and the week became one of the earliest divisions of time; and excepting for the few years that the madness of the French Revolution swept it away, it has remained unchanged where it has been once known. But it was insufficient to mark the passage of time. Men required further computation. The succession of season after season in regular undeviating rotation, must have first suggested that time went to a certain limit, and then recommenced its operations; a fact which, reasoning from analogy, the mutations of the moon must have taught. The difficulty lay in dating a commencement and a close, so as to calculate with certainty the arrival of the seasons. To the savage, day and night must be evident, as an epoch; and even the changes of the moon might bring with them certain stamps on the memory. Beyond this there was little impression; two years and five years would be indefinite periods, unless, like the Arabs, they computed by months. And here would arise the greatest difficulty—computation needs figures, and uncivilized people can barely understand a number which would exceed their fingers and toes. It is true, that a patriarchal tribe wandering in the woods, and deriving support from hunting and fishing, would soon obtain certain indices by which they could predict the approach of certain weathers; and much as we sneer at old wives' saws, we ought to recollect, that in them we can trace some of the first advances in science, and some of the first deductions which led men to reflect and grapple with the difficulties of the laws of nature. The Indian is ignorant of the four cardinal points, and the mariner's compass; yet he passes safely through the woods, and makes his way with undeviating sagacity by the aid of a little moss on the bark of trees; and men soon began to discern, that snow fell at certain times, and the rivers were flooded periodically, and flowers bloomed and faded, and birds came to sing their short melody and disappeared, and all this happened after certain intervals at certain times. The very term year bears this meaning; hence the Greek word ἐνιαυτός, implies something which returns into itself, while the Latin *annus* signifies a ring, as we learn from its derivative *annulus;* and our own word year bears immediate connection with *yra*, which means a ring in Swedish.

This knowledge was only the precursor to more definite information. The things of earth taught much, and as the foliage of trees came and went,

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there was one truth given to the mind that it would again burst forth in beauty, as the old Spanish chronicler says:—"*El madre universal, cuya juventud se renueva con la anual revolucion de los cielos.*" But when the young spring would once more appear, earth furnished no index, so by degrees men accustomed themselves to look to Heaven, and watch the motions and places of the sun, his risings and settings at different times of the year, and the proportion of the length of day and night. Then there were the stars. The constellations are easily discernible: take, for instance, Ursa Major, Cassiopeia, Orion, Aquila, &c., among them; the fixed stars must have early become objects of attention, and the position of these constantly varying, must have led to much thought. Any one acquainted with the principal fixed stars, must have observed how they vary at particular seasons, sometimes appearing in the west after the sun has gone down, each evening approaching nearer to him, till eventually they cease to be discernible, their feeble ray being lost in his light; after a lapse of some time their rising can be seen to precede that of the sun, and each morning the interval becomes longer between their appearance and that of sunrise. Thus the changes led to some distinct characteristics of the seasons, such as the ascent of the sun on the ecliptic, and the passage of the fixed stars. Hesiod frequently alludes to the former:—

"Ἡματα πεντηκοντα μετα τροπας ἡελίοα
Ἐς τελος ἐλθοντος θερεος."

Fifty days after the turning of the sun is a seasonable day for beginning a voyage. With regard to the fixed stars, the Greeks predicted the approach of winter from the rising of Pleiades in the evening. Sirius, the dog-star, was called by Homer "αρτηρ ὀπωρινος," and by it the Egyptians knew the advent of the overflow of the Nile. Hesiod warns the husbandman when to reap, and when to plough, by the rising of the Pleiades; and in like manner Arcturus, the Hyades and Orion are named. Thus was the year first defined; and if we may believe Herodotus, the honor of the discovery is due to the Egyptians. The priests, to use his own language, informed him that the Egyptians were the first to discover the year, dividing it into twelve equal parts of thirty days each, adding five days to the end. This is called the civil year, one of the earliest discoveries on the earth.

That the week and month were known to the early inhabitants of the earth as methods to compute time, Scripture furnishes proof. Thus in Genesis vii. and viii., the flood, which lasted one hundred and fifty days, is said to have continued from the seventeenth day of the second month to the seventeenth day of the seventh month, which is five months of thirty days each. The week was also observed by Noah, when the waters began to abate: it was at intervals of seven days, that he sent out his three doves. The incident is too well known to need relation. The history of the marriage of Jacob with the two daughters of Laban may serve for another example: for Jacob being imposed upon because they put Leah upon him instead of Rachel, Laban told him, "Fulfil her week, and we will give thee this also;" Moses adds, that Jacob did so, and fulfilled her week. Thus it is apparent that the week was in use long prior to the time of Moses.

As to the divisions of the day, the Hebrews divided the day into morning, noon and night. They are the only parts mentioned in the Old Tes-

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tament, and were regulated by the elevation of the sun. It is generally thought that hours and dials were first known among the Greeks a little before Alexander the Great; till then they measured time by the foot: that is to say, from the number of feet from the shadow of the body; a system, some would suggest, not the most safe, for the heights of men differ. But whether the man was tall or short, it was generally understood that feet were proportioned to the stature. By these means, the peasants could tell the time by the shadow of their cottages, like Pythagoras, who measured the height of Hercules by the footstep which the latter had imprinted upon the sand in the Olympic games. They reckoned up to twenty feet of shadow, and spoke of their meetings by such a foot. Most of us can recollect the story of the bon-vivant, who had been invited to dinner at the shadow of twelve feet, and for fear of disappointment, rose before day, and took the shadow of the moon for that of the sun. It is certain that the Romans knew nothing of hours till after the first Punic war. It was Messalla, who, returning from Sicily after the taking of Catana, brought back a dial with him, and erected it in the public place.

The Hebrews counted by the shadow until the conquest of Jerusalem, when, with other Roman introductions, the dial was used. Next to the sun-dial the clepsydræ, or water clock, was in vogue with the Greeks, namely, a vessel filled with water, which passed through a small hole in a given time. But their hours were unequal; the day—that is, the period of light—being divided into twelve equal parts. In winter, therefore, the hour did not exceed fifty minutes; whereas in summer it lasted longer than seventy. These varied again according to the latitude of the place. It is, however, uncertain whether they began the day at sunrise, or at the first appearance of light in the east. It may as well be mentioned, that our present method of commencing the civil day at midnight began with the church, although the precise date is unknown. But as many of the church festivals were kept up to a late hour of the night, and others began at an early hour in the morning, it seemed most expedient to establish the division at twelve at night. With the exception of the larger towns of Italy, the day is now regulated by the dial in use, but with this difference: in the United States, and in England and her dependencies, the computation is made with mean time; but in the other European countries, apparent time seems chiefly to prevail—mean time being the hour indicated by a clock, allowing twenty-four hours of equal duration to every day in the year, apparent time being the hour as shown on the sun-dial—the passage of the sun in the ecliptic, alternately shortening and lengthening the hours. But in Italy the hours depend upon sunset, and are counted from one to twenty-three; as the sunset varies each day, so also will the length of the hour vary. One o'clock is an hour and a half after sunset, two o'clock two hours and a half after sunset, and so on. In different cities also, they have different hours, owing to the difference of latitude.

It forms no part of our inquiry to enter upon the religious observances of the Jews during their week, and we must content ourselves with saying that their Sabbath commenced and now commences on Friday evening, and closes on Saturday evening, at which period of the twenty-four hours, the Jewish day dates its commencement. The Jews distinguished their days of the week by the number first, second, third, although some of

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them, the Hellenists, had a great reverence for the sixth day as the vigil of the Sabbath, which they termed Parascene.

But the Greeks, instead of this numerical distinction, adopted a nomenclature to distinguish the day from day. It is difficult to discover when these designations were first introduced, but they were enumerated from the heavenly bodies according to their supposed distance from the earth. And as the planets then known corresponded to the number of days in the week, each day had its presiding planet, viz.: Saturn, Jupiter, Mars, the Sun, Venus, Mercury, and the Moon. It was probably from astrological deductions that they were made to bear their present order, though it would be not easy for us now to define any reason. To this day the same names remain a mark of the devotion of the earlier Greeks. We have turned from their mythology to that of the Anglo-Saxon, and the gods of the ancestors of the Pilgrim Fathers—Tice, Thor, Woden and Friga—have replaced the θεοι of the Peloponnesus. But other countries yet retain the original appellation.

Previous to entering upon the consideration of the month, a few remarks must be made as to the difference of a lunar and a solar month. The annual revolution of the earth round the sun is completed in 365 days, five hours, forty-eight minutes, forty-eight seconds; being nearly a quarter of a day more than the civil year, which consists of three hundred and sixty-five days. We purposely pass over allusion to the sidereal year, as it in no way affects the subject we are treating. The present division into months is purely an artificial one, some months having thirty days assigned to them, some thirty-one, whereas the synodical month (being the time which elapses from new moon to new moon) consists of twenty-nine days twelve hours, forty-four minutes, three seconds. Accordingly, there are twelve complete lunations, or changes of the moon in the year, with eleven days over. Hence the lunar and solar years do not correspond. And it was to establish this connection that the earliest efforts of the Greeks were directed. The orbit of the moon round the earth is inclined at an angle varying from five degrees to five degrees eighteen seconds; taking the medium of which, we have five degrees nine seconds. Thus, in the month her orbit crosses that of the earth round the sun in two points, viz.: the nodes. This motion of the moon is tributary to that of the earth round the sun; the annual revolution exceeding the twelve complete lunations by eleven days; consequently, in the succeeding year, the nodes will not be in the same points of the earth's orbit as they were in the preceding year. Now, the period that would elapse from the moon being in any point of her orbit round the earth, in a given point in the ecliptic till she would again occupy that identical point, with the same relative point with the sun, is nineteen years; so that the apparent path of the sun and that of the moon are so related, that whatever relative positions the sun and moon may bear to one another, and to the earth, they cannot have the same relative positions again for nineteen years. Or, in other words, if on any day at any hour the moon be observed, that day nineteen years she will have the same right ascension and declination as at the hour of observation; therefore, the new and full moons fall upon the same day and hour after the expiration of nineteen years. Such is the moon's cycle.

The above explanation makes it evident that, for the year to be observed according to the passage of the earth round the sun, the lunar

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months cannot in any way be brought to agree with it. Yet there is little doubt, but that the moon first led to the division of the year into months. The theory is plausible, that, in the earlier ages of the world, the synodical month, viz., (the passage from new moon to new moon,) was the recognized division; but it was soon found out that such a calculation to tally inverted the order of seasons. Our own word, month, traces its connection with moon, and a like similarity exists in most Teutonic languages. In Greek, μην is related to μηνη, which Homer employs as the moon, and here may be found the derivative of the Latin *mensis*.

It was only by observation that the Greeks discovered that the lunar month, to correspond with the moon, must be computed alternately by twenty-nine and thirty days; consequently their calendar was arranged with the view that each month should last a lunation. The last day they called ενη και νεα, "the old and the new;" and as their religiou, ceremonies depended upon the day of the month, a correct system in observing the lunations was indispensable. But science had not sufficiently advanced to determine the limit of a synodical month. The Greeks assumed twenty-nine and a half days. But they were wrong in their calculations three quarters of an hour; and as time rolled on, and the three-quarters of an hour became multiplied, so the moons and the months became at variance. Aristophanes, in "The Clouds," satirizes the priests for this departure, and thus sets forth the moon's complaint. The translation is Dr. Whewell's. It is worth recording:

> "The moon by us to you her greeting sends,
> But bids us say that she's an ill-used moon,
> And takes it much amiss that you will still
> Shuffle her days, and turn them topsy-turvy;
> So that when gods, who know their feast-day well,
> By your false count are sent home supperless,
> They scold and storm at her for your neglect."

It seems, however, that the inaccuracy was inquired into, with the hope of accommodating the lunar and the solar years. Many rude systems of intercalation were doubtless introduced before any just method was hit upon. By intercalation is meant the addition of a certain number of days to rectify any departure of the month from the appearance of the moon. The first of these cycles, which in any way led to the desired result, was the *octa-eteris*, or a period of eight years. The months, then, were alternately twenty-nine and thirty days.

Here we have:

6 months, each	29 days	=	174		
6 " "	30 "		180		
8 years of	"		354 days	=	2832 days.
8 years, 365¼ days		=	2922		
Deduct			2832		
Leaves.....			90 days, or 3 months of 30 days each.		

But this date is confined to the 59th Olympiad, or the 6th century B. C. and Pythagoras lived in the fifth century. The cycle, however, was imperfect, as we will show:

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8 years = 12 lunations, and 11 days each year =
= 99 lunations = 2923½ days.
But the number of days considered in the above calculation, was } 2922

1½ days difference.

That is to say, 3 days in 16 years, and 30 days in 160 years.

It is said, that the cycle of sixteen years (Heccæ-decæteris) was also used, and three days were intercalated to make the months and the moon agree.

A much more exact cycle independently of either of the above, was discovered and introduced by Meton, 432 B. C. This is the mode we observe at this day. It consists of nineteen years, and is undoubtedly a discovery in astronomical science, of the highest importance. That it would be so in our day, no man with a grain of sense would doubt; but when we reflect on the limited means of observation possessed by the Greek astronomers, it is a matter of wonder, that Meton attained so accurate a calculation. "It is very possible,"* says one of the ablest of the writers of our own time, speaking upon this subject, "that the cycle of Meton is correct, more nearly than its author was aware, and more nearly than he could ascertain from any evidence and calculation known to him:"

The time occupied by 19 years, is less than 6940 days by 9½ hours. } 235 lunations = 6940 days, 7½ hours.

So, if nineteen years be divided into two hundred and thirty-five months, so as to agree with the changes of the moon, at the end of that period the same succession may begin.

But 235 months, of 30 and 29 days—to make up 6940 days, must be divided as follows:

125 of 30 days = 3750 days.
110 of 29 " = 3190 "

6940 days.

Therefore, some scheme was necessary to distribute the latter, which were termed hollow months, among the former, of which were termed full. Now, if we divide these number of days:

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63)6940(110
   693
   ---
    10
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Consequently, every sixty-third day a day was deducted, and the cycle was made up by this omission one hundred years afterwards. Before the death of Alexander, Meton's calculations underwent some improvement through the intervention of Calippus. It was then determined to take four of the cycles of nineteen years, which would give seventy-six years, and at

* Dr. Whewell.

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the expiration of this period to omit a day to make allowance for the hours which 6,940 days exceed nineteen years, or 235 lunations.

The Jews appear to have calculated their months first by thirty days, a fact proved by the record of the flood, but they subsequently seem to have been guided by the moon. To remedy the departure from the solar year, they intercalated a month, sometimes in the second, sometimes in the third year. The world is little indebted to them for astronomical knowledge. It is evident their intercalations were borrowed from the Greeks; but we shall allude to this subject when we treat of Easter.

The Greek duration of time is unlike that of the Jews, which affects to date from the duration of the world, and assigned the 3,760th year for the birth of our Saviour. The Greeks computed by the celebrated Olympiads, so called from the Olympic games, which date from 776 B. C., being the year 3,938 of the Julian period, and twenty-three before the building of Rome. It was then that Corœbus obtained a victory, and re-instituted for regular celebration these games, which had fallen into disuse. This era differed from every other method of time, each Olympiad consisting only of four years. To reduce the date to our own era, multiply the Olympiads by 4, and add the odd year of the Olympiad. Subtract the sum from 777 if before Christ, and substract 776 if after Christ. Thus the date of Meton's discovery is in the fourth year of the 86th Olympiad:

86
4
———
344 deduct from
777
———
433 B. C., the date we speak of it in our era.

While the Greeks made every effort to reconcile the months and the moon, the Romans do not appear to have put forth the least care to preserve the connection. Or if, in the earlier ages of the republic, some attempt was made, it utterly failed, and was soon abandoned. The Roman months, both before and after the Julian correction, were portions of the year having no reference to full and new moons. This reformed calendar is now in use throughout the world, yet our month is a period of time as independent of the moon, as it is of the satellites of Jupiter, and it is a phenomenon in the history of the world: for it is a record of an attempt to adapt the celestial changes, which ended in complete failure.

The Romans did not recognize the week until the time of the emperors. Dio, who lived in the reign of Severus, says, that the *hebdomadæ* became law a little before his time, and that the institution was borrowed from the Egyptians. But the days were named after the planets like the Greek week. Three of these names we yet retain, *Dies Solis*, our Sunday; *Dies Lunæ*, Monday; *Dies Saturni*, our Saturday. The other days bear the mark of the Saxon belief: *Dies Martis*, named after Mars, is now our Tuesday, and takes the name from *Tuisco*, the Saxon God of War. The same remark applies to the others. Thus *Dies Mercurii*, is called Wednesday, from Woden; *Dies Jovis* is now Thursday, from Thor, and *Dies Veneris* traces to the goddess *Friga*, the term Friday.

Previous to the institution of weeks, the Romans, in counting days, counted backwards. The country people came to town every ninth day:

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hence the periods were called *Nundinæ*. The month was divided into kalend, nones and ides. The first day was called *Kalendæ*, from the priest calling to the people that there was a new moon. The fifth day was called *Nonæ*, because it fell on the ninth day inclusively *before* the Ides, and the thirteenth *Idus*, from the absolute verb, *iduare*, to divide. The days previous, *i. e.*, the fourth, the twelfth, and the last of the month, were called *Pridie Kalendarum*, *Pridie Nonarum*, *Pridie Iduum*. The nones and ides of March, May, July and October, were two days later then in January. In all other months they had the same place as in January. In the months which had thirty days, the number of days before Kalends was one less, and in February three less. In leap year, the additional day was inserted in February as now, but instead of making an additional day, the twenty-fourth was reckoned twice, which, from being called sexto-Calendarium Martii, (the sixth day before the kalends of March,) with the addition of *bis* for the intercalated day, gave the name of bissextile to leap year, which it still retains. Although nearly every upper boy may know that the kalends were essentially Roman, it may not be quite irrelevant to say, that it was from this fact, that the *Greek Kalends* came to be used as an idiom to speak ironically of a circumstance as never having occurred. Thus Suetonius uses *ad Græcas kalendas solvere* for *nunquam*. It may facilitate the above explanations to give a table of the Roman calendar.

Table of Kalends, Nones and Ides.

Days of month.	April, June, September, November.	January, August, December.	March, May, July, October.	February.
1.	Kalendæ.	Kalendæ.	Kalendæ.	Kalendæ.
2.	IV.	IV.	VI.	IV.
3.	III.	III.	V.	III.
4.	Prid. non.	Prid. non.	IV.	Prid. non.
5.	Nonæ.	Nonæ.	III.	Nonæ.
6.	VIII.	VIII.	Prid. non.	VIII.
7.	VII.	VII.	Nonæ.	VII.
8.	VI.	VI.	VIII.	VI.
9.	V.	V.	VII.	V.
10.	IV.	IV.	VI.	IV.
11.	III.	III.	V.	III.
12.	Prid. Id.	Prid. Id.	IV.	Prid. Id.
13.	Idus.	Idus.	III.	Idus.
14.	XVIII.	XIX.	Prid. Id.	XVI.
15.	XVII.	XVIII.	Idus.	XV.
16.	XVI.	XVII.	XVII.	XIV.
17.	XV.	XVI.	XVI.	XIII.
18.	XIV.	XV.	XV.	XII.
19.	XIII.	XIV.	XIV.	XI.
20.	XII.	XIII.	XIII.	X.
21.	XI.	XII.	XII.	IX.
22.	X.	XI.	XI.	VIII.
23.	IX.	X.	X.	VII.
24.	VIII.	IX.	IX.	VI.
25.	VII.	VIII.	VIII.	V.
26.	VI.	VII.	VII.	IV.
27.	V.	VI.	VI.	III.
28.	IV.	V.	V.	Prid. Kalend.
29.	III.	IV.	IV.	Martii.
30.	Prid. Kalend.	III.	III.	
31.	Mens. seq.	Prid. Kal.	Prid. Kal.	
		Mens. seq.	Mens. seq.	

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The division of the Roman year has been traced to Romulus. The number of months was ten. The first he named *Martius*, from Mars, his supposed father. The second *Aprilis*, from the Greek name of Venus (Αφροδιτη,) or, according to Plutarch, from *Aperio*, to open, the trees commencing to bud at this season of the year. The third *Maius*, from *Maia*, the mother of Mercury. The fourth *Junius*, (June,) from the goddess Juno, the remainder, *Quintilis*, *Sextilis*, *September*, *October*, *November*, *December* being simply numbered. After the death of Romulus some alteration was made in the calendar by Numa. In imitation of the Greeks, he added two months, *Januarius*, from Janus, the God of War, and *Februarius*, because the month was sacred to the rites *Februalia*, when expiatory sacrifices were offered for the sins of the whole year: February being at that time the last of the months. But in imitating the Greeks, the superstition of Numa led him to reject the number of days which completed their civil year. This number, three hundred and fifty-four, had the serious disqualification of being even. And to set aside the omen of ill luck which he traced in this arrangement, to make the number odd, he added one day. The civil year was nevertheless greatly at variance with the solar year, viz., ten days, five hours, forty-eight minutes and fifty-seven seconds. It was not long before so great a discrepancy as this was discovered, and to remedy it, Numa directed that every other year an extraordinary month should be added between the 23d and 24th February. The duty of superintending this *Mensis Intercalaris*, as it was called, was left to the priests. It was a matter entirely dependent on their discretion. They could add few or many days as they deemed fit. Such a system of things naturally led to abuse. Bribery or friendship determined the length of the year. To keep one magistrate in office, and to shorten the term of another, to assist a friend who had contracted to collect the taxes, or to punish a refractory patrician who objected to soothe with gold the consciences of the intercalators,—all these considerations affected the length of the intercalary period, till at length the seasons became so intermingled—the spring proving summer, and summer falling upon autumn, and autumn again being a misnomer of winter, that it was evident, unless some better regulation was instituted, it would be a jest to call a season by name.

But glaring as was the abuse, it lasted for years, and the Romans seem to have contented themselves with repining. It was not until the star of Pompey had set at Pharsalia, that the master of Rome thought to remedy the evil. Julius Cæsar, with the eye of a statesman, saw the source of the mischief, the indefinite period of the intercalations. Moreover, that great man knew how fallacious all alteration would be unless based upon principle. He felt that the astronomical data were wrong, and that it was by astronomy alone the length of the year could be determined. Therefore he not only instituted a change which should exist for a few centuries and then be lost, but he established a cycle which should bear his impress for ever, and convey his name down to the very last day of time. Had Cæsar been known only by this Julian year, it would secure him immortality.

This improvement took place A. M. 707, and was entrusted to Sasegenes of Alexandria, whom Cæsar sent for to Rome. From his directions a new calendar was formed by Flavius the scribe. To remedy the evils of the then current year, and to place in correct points of time the vernal and

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autumnal equinoxes,) he inserted, besides the intercalary month of twenty-three days, two extraordinary months, one of thirty-three and one of thirty-four days, between November and December, so that this year consisted of sixteen months, or four hundred and forty-five days, and is known as the last year of confusion. The succeeding year he commenced on the first of January, agreeably to the form of our present calendar, making the civil year of three hundred and sixty-five days; but as the astronomical year amounted to three hundred and sixty-five days and a quarter, he intercalated one day at the end of every fourth year, which would be equal to four quarters.

The month *Quintilis* was afterwards called *Julius*, from Cæsar, and *Sextilis* took the name of *Augustus* from the first emperor. These are now our July and August. Other emperors thought also to give their names to some of the other months, but the changes were so often ordered, that they were forgotten so soon as those who had made the alteration had died.

The duration of our months as they stand at present was established by Augustus. Julius Cæsar had directed that the odd months, viz., the first, third, fifth, seventh, ninth and eleventh, should each have thirty-one days, and the even months thirty days, with the exception of February, which in ordinary years should have twenty-nine, and in bissextile thirty days. But when Augustus gave his name to the month, he was desirous that it should be as long as the July named after the first Cæsar, and consequently he took a day from February to give the same duration to August, And in order that three months of thirty days should not come together September and November were reduced to thirty days, and October and December made each to contain thirty-one days. Thus the order of our months is one of the many monuments of human weakness and vanity.

But a further reform was yet necessary: the calculation of three hundred and sixty-five days and a quarter allowed to the astronomical year, exceeded the true limit by eleven minutes twelve seconds, so that at the end of four years, the equinoxes would be antedated forty-four minutes, forty-eight seconds, and at the end of about one hundred and twenty-nine years they would be in advance nearly an entire day. That is to say, that the sun would be in the equinoctical point at the 19th March instead of the 20th; thus, in the last named period, there would arise the discrepancy of a day. The error arising from the Julian correction was removed by Pope Gregory in the year 1582. He was anxious that the vernal equinox should be reckoned on the 21st March, from the circumstance that the Council of Nice had so established that day in 325 A. D. It will be recollected that it was at this memorable Œcumenical Council that the dispute between the Eastern and Western Churches relative to the observance of Easter was decided—the more remarkable, that it is here the first event on record which treats of the assumed supremacy of the Roman Bishop. The Asiatics, with Polycrates, bishop of Ephesus, at their head, contended that the anniversary of the crucifixion of our Saviour should be kept on the third day after the full moon of Nisan, on whatever day of the week it might fall. The Western Church asserted that, as our Lord was crucified on the first day of the week, that it ought to be on that day only the observance should be held. They appealed to the authority of Saint Peter and Saint Paul, while the former sought that of Saint John. The Council of Nice decided in favor of the West; and further ordained,

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that the 21st day of March should be accounted the day of the vernal equinox. Accordingly, Gregory caused a calculation to be made of the error which had crept in owing to the imperfections of the calendar of Sasegenes, from the year 325 till his own period, which amounted to ten days. And accordingly, he totally erased from the calendar that number of days, viz., between the 4th and 15th October. This is the difference of old and new styles. But the holy astronomer did not stop here; he provided for future generations. He found that the excess between the day we add in leap year amounted annually to eleven minutes twelve seconds over the true astronomical deficiency, so that in the course of four hundred years there will creep in an error of three days, two hours and twenty-four minutes, therefore he ordained that every hundredth year should not be a leap year, except the four hundredth year,—thus disposing of the three days; but an error of two hours, twenty-four minutes, yet remain in every four hundred years; and as this will amount to the loss of a day in three thousand six hundred years, we conceive it is no hardihood to assert, that it is a matter of little import to the present generation. This system, called the Gregorian method, was immediately introduced into all the Catholic countries of Europe; but it is absurd to add, that it was not recognized in Protestant England till the year 1753, when eleven days were dropped between the 2d and 14th September.

The originator of the change was Lord Chesterfield, who, from having passed much of his time on the continent, saw the annoyance arising from the confusion of days. And in diplomatic affairs he had experienced positive inconvenience. The bill was drawn by Mr. Peter Daval, the Secretary of the Royal Society, and submitted to the President and Dr. Bradley, the Astronomer Royal. Those curious in such matters, will find the bill at length in the twenty-first volume of the Gentleman's Magazine, page 105. The preamble merely states that the supputation then used should be discontinued, without assigning any reasons for the measure; and after setting forth the changes in the dates of holding the terms, &c., a clause is inserted to the effect—and certainly one called for—that nothing was intended "to extend, to accelerate or anticipate" the time of payment of rent or mortgage, &c. The bill was not brought in without opposition. The dislike of new-fangled ideas—always the characteristic of the English people—led them to exclaim against it. And the fact that it was a Popish introduction, operated greatly on the public. The Duke of Newcastle begged of Lord Chesterfield not to persevere—telling him that it was useless to stir matters that had been long quiet. While Lord Chancellor Hardwicke and Mr. Pelham both supported the measure, several arguments were adduced of the impolicy of the change. The matter, it was said, had once before been canvassed some half century earlier by Bishop Lloyd and Dr. Wallis, and a long controversy had ensued. It was suggested that it would be well to communicate with the Protestant states, so that northern Europe, in preference to seeking a benefit from the Pope, might have a calendar of her own, and that it was a folly to take the Pope's faulty injunctions as canonical or authentic. Those who supported the bill, turned a deaf ear to every complaint. When their astronomy was assailed, they said very quietly it was no use disputing that point. All they wished to establish was uniformity in the computation of time throughout the Christian world. And although the measure was canvassed in 1751, eighteen months were allowed to elapse

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before the law came into operation, so that no inconvenience would be felt, even in the most remote of the British dependencies, and that simultaneously the empire would agree with Europe. The dispute was canvassed with much acerbity by the working classes; and at an election in the north of England, a candidate who had taken part in passing the bill, was afterwards assailed with the cry—"Where are our lost eleven days?" But in spite of all opposition, and the dreary wit which the opponents of the measure spouted and published—not a little of it is to be found in the periodicals of the day—the bill became law.

We have now come down to the calendar in use, and we must now say a few words how it is regulated. This leads us to the consideration of the Cycle of the Moon, as to its practical use, the Golden Number, the Epact and Dominical Letter. Reference to the Book of Common Prayer of the Church, will show that all the moveable feasts depend upon Easter Sunday, and that the latter is always the first Sunday after the full moon, which happens upon or next after the twenty-first day of March; if the full moon falls on a Sunday, Easter day is the Sunday after. We have then the following Sundays:

Septuagesima, nine, Sexagesima, eight, Quinquagesima, seven, Quadragesima, six,	Weeks before Easter.
Rogation Sunday, five weeks, Ascension Day, forty days, Whit-Sunday, seven weeks, Trinity Sunday, eight weeks,	After Easter.

The cause that Easter Sunday is thus moveable is found in Scripture. It had its origin as the day on which our Saviour rose from the dead. Saint Luke informs us that it was on the first day of unleavened bread that the Lord's Supper was held, and that day with the Jews was a preliminary to the feast of the Passover, which consisted of eating the Paschal Lamb, and offering up of the Sheaf, as the first fruits of the barley harvest. The Passover could not therefore be observed* till the Lamb, "a male of the first year," was grown fit to be eaten, and the barley fit to be reaped. When it is recollected that the Jewish months depended upon the moon, and as the 15th Nisan was the first day of unleavened bread, there was consequently a full moon at the period of the celebration of this festival; and if it happened to fall before the day of their Vernal Equinox, they intercalated a month, and the ceremony was observed a month later in the year.

(To be continued.)

* Exodus xii.

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POPULAR GOVERNMENT.*

This is an admirable little volume—with but one fault; namely, that being a little volume as it is, it had not been made a little smaller. That is to say, that if the three or four concluding chapters which the author has appended to the main body of his work, in the form of a "Part II.," had been omitted, we should have been able to omit the qualification we feel now bound to add to our approval of its general excellence of matter as of manner. It is evident that these chapters formed no part of the plan on which Mr. Camp had projected the lucid, logical and beautiful essay on the general principles of Democracy, which constitutes his "Part I." The latter was pronounced, we presume, by the publishers, insufficient, in a mechanical point of view, to fill up the requisite bulk, to give the volume admission to their Family and School Libraries; and the author has had to eke it out as per order—no longer under the inspiration which had before guided his voluntary pen, in a labor of love, performed in a manner not unworthy of his elevated and elevating theme; but under that kind of requisition, for a given number of pages, supplementary and distinct, usually the least favorable to an author's success. The First Part is an essay on the abstract theory of Democracy, than which we know of none so complete, connected, compact. The author has rendered a valuable service to his country and its political literature. Mr. Camp's pages are rich with thought, strong, clear, and well arranged, equally in their logic and their language. There is very little in this part of the volume which has not alike our concurrence and our admiration. There are many passages, teeming with important and interesting truth, and evincing profound reflection by an active and original mind, upon the grand subject of political science, which we had marked for extraction. The cheapness and facility of access of the volume, induce us, however, to prefer to recommend the perusal of the whole—notwithstanding the serious drawback to its value, which we find, on some of the superfluous pages, he has been unwisely induced to append to it. One extract alone we shall not omit, with which Mr. Camp closes that part of his work, which we have taken pleasure in thus highly commending. We insert it for the purpose of showing that he is not insensible to a point of view in which we have more than once attempted to present the great truth of Democracy in the pages of this Review:—

"But we have, in these modern times, a more powerful guarantee for the public morals. We have the Christian religion, which Greece and Rome had not. Its code of morals is perfect. Its sanctions are as powerful as it is possible for the imagination to conceive. It is never satisfied with the improvement of its disciples; it will never cease to make converts, until it embraces the universal race of man. If humanity had a downward tendency, this religion would arrest its progress. It is implicitly believed by us that its achievements will be equal to its aims, and that it will go on conquering and to conquer until it shall have restored our race to its primeval purity. On the contrary, rites and ceremonies

* Democracy. By George Sidney Camp. New-York: Harper & Brothers, Cliff-street.

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constituted the chief part of the religion of the ancients; and those rites and ceremonies, so far from improving, corrupted their votaries. The most disgusting and abominable orgies formed a part of them; while theft had a patron in Mercury; drunkenness, in Bacchus; licentiousness, in Venus, and every vice a precedent in the conduct of some of the numerous divinities of the ancient mythology. It may readily be supposed that heathenism had but little connection with the study of morals, which, while that odious system was universally popular, excited no interest among the people, but was confined to the schools of the philosophers. There was thus no renovating principle for human nature; and it was left under all the seductive influence of circumstances, combined with a religion, itself the offspring of the passions and vices of men, to an uncertain dependence on natural temperament and the unaided sanctions of a natural conscience.

"But the Christian religion not merely preserves our morals from corruption, and gives them a decided and continuous impulse towards improvement; it tends directly to the institution of democracy. Make men just, and they must be democratic. What will become of usurpation and force, corruption and fraud, as Christianity takes its march over the earth? It respects no abuses, however ancient. It sanctions nothing but what is wise and what is good. It abhors the corruption, extravagance, and vanity of courts. It imbues man deeply with the fear of God, and those who fear God are inaccessible to any other fear. It fills us with a sense of the absolute equality of the species. It teaches us to respect nothing so much as principle. It inspires the most dignified independence. It is democratic in its Author; our Saviour himself came from the common people; he was born in a manger; he was a carpenter's son. It was democratic in its apostles; they were fishermen, poor, ignorant, and despised. It expresses its preference of the poor. Its morals are digested to the comprehension of the poor and illiterate. Its sanctions, no man so stupid but that he can comprehend. It inculcates the liberty of conscience; and no man who is thoroughly impressed with the truth that his Creator has intrusted to him his own eternal salvation, can well doubt that the same wise Providence has fully accomplished him for the subordinate relations and responsibilities of this life, and his own government among the rest. No book ever written makes us so sensible as the Christian revelation of the dignity of man as man, and the frivolity of all those temporary or accidental distinctions with which the world has been so long oppressed.

"I cannot refrain from noticing some strong points of similarity between the history of religion and of democratic liberty; nor can I believe these points of resemblance between the fate of truth in religion and of truth in politics, man's chief terrestrial and the summary of man's celestial good, to be entirely capricious and fanciful.

"Both have always had the predominance of numbers against them. Both are sustained by principle, and would be annihilated by precedent or authority. Both flourish best on the same soil, and sympathize deeply in each other's successes. Both have always inculcated the same contempt for human authority, the same regard for the poorer and humbler classes, the same disregard of merely adventitious and accidental distinctions, the same paramount authority of principle. Both have for their basis the law of benevolence. Both have been reproached with the origin and character of their supporters. Both have been stigmatized as the occasion of an extensive destruction of the species. Both have borne the reproach of being disorganizing and anarchical.

"The Christian religion is emphatically a religion for the people. It impregnates the masses with something better than humanity. What a religion for the many! What a basis for popular government! How elevated and how substantial the hopes of the friend of popular rights, when he feels that the progress of human liberty must keep pace with the progress of Christian illumination, and that the cause of man is thus identified with the cause of his Maker!"

In the second part, we have no fault to find with the chapter devoted to the refutation of De Tocqueville's favorite idea of the supposed "tyranny

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of the majority" in America. On the contrary, the fallacy of this criticism, by the celebrated Frenchman, of the democracy, with which he was able to find no other serious fault, is very conclusively exhibited. No such "tyranny" exists. The mental independence fostered by our institutions might have been even more strongly asserted than Mr. Camp has done. The moral and social power of public opinion—quite independent of the political organization—he clearly shows to be a great power only in such cases, and to such an extent, as constitute it necessarily a salutary and useful one; while it has its origin in those fundamental laws of human nature, upon which all other forms of government only impose artificial and mischievous restraints, and to which the freedom of democracy simply allows the natural and healthy action designed by their Author. "This is not the tyranny of majorities," says Mr. Camp; "it is the nature of man, more prominent only in republics, because government has less force and nature more."

Nor with the chapter entitled "Immigration" have we any other fault to find, than the author's omission to go to the whole length which consistency with his own general principles seems to us to require. He states strongly the benefits which our country has derived, and is daily deriving, from the influx of European immigration; and not only dissipates the idle alarms with which it has been regarded by that most absurd of the political humbugs of late years, "Native-Americanism," but also administers a mild though just rebuke to that sectarian bigotry, which we have recently seen so rife among us, and which would prefer to reject the manifold advantages brought by every immigrant, with a sinewy arm and a humane heart, rather than welcome, in the true spirit of kindly brotherhood, a *Catholic* fellow-Christian. After showing the fallacy of any apprehension from this source in a political point of view, he thus proceeds:

"To urge the influx of Catholics as an evil, in a religious point of view, is a flagrant error. The Protestant Christian, as such, ought to know no particular country. The soul across the Atlantic ought to be as dear to him as that of a native-born American. He ought therefore to rejoice at an event which places the Catholic within his reach, within his means of influence and conversion—at a change to a place where that, in his view, erroneous faith is more accessible, and truth is re-enforced by the strong auxiliary power of majorities. The religious Protestant ought to regard with great satisfaction an event which brings Catholics to his own door, to have their belief rectified if it be not orthodox, and thus converts every Protestant neighbor into a Protestant missionary. He ought not to fear for the cause of truth in an equal competition with error, but rather invite such competition. The rivalry among religious sects has already redounded much to our secular advantage, and has actually, I believe, made us a more enlightened people. It may well be doubted whether, had the population rapidly settling at the West been all Protestant, the same strenuous efforts would have been put forth there in the cause of education, or so zealously sustained."

Yet, while on this subject, we should have been glad to see Mr. Camp go a little farther than he has done. While exhorting us to welcome the immigrant, even though he come in the rags of that pauperism to which he has been reduced by those oppressions of a government in a foreign land, which have already served as the best apprenticeship to enable him to appreciate the blessings of the free institutions of his new home and country, we should have been glad if he had not stopped short at bidding us to "interpose no capricious barriers to their amalgamation" with our

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selves, but had urged us to remove, at least to some extent, the barriers already existing, by reducing the necessary length of the term of residence now required by our laws of naturalization. We have no hesitation in declaring that we would have no objection to admit the immigrant to every privilege of citizenship within a single year of his arrival, instead of the present period of five years—with the simple qualifications of *bona fide* intention of residence, and the ability to read the newspapers, in which he will have found by that time a sufficient discussion of the leading questions on which the exercise of the elective franchise will require him to form an opinion.

The chapter on "Aristocracy in America," contains much on which we regret that our limits compel us to forego the criticism to which it is justly amenable. We must content ourselves with a few remarks on the chapter to which Mr. Camp will hardly regard it as a very desirable compliment, that its doctrines have elicited an approval from his whig readers as general as their condemnation by those of his own political faith. We refer to the chapter on "The Right of Instruction."

The Right of Instruction Mr. Camp calls a "false pretence." He pronounces against it, without compromise, and without exception. In his argument in support of this position, there is little that is new, though he states it ingeniously and plausibly. It is simply this:

1. The object of the Constitution of the United States, in the length of tenure in the senatorial office, is to render the incumbent independent of the capricious fluctuations of the popular will. 2. By his election he becomes a representative, not of his particular constituency, but of the whole Union, and cannot, therefore, receive a dictation from the one to control his legislation for the others. 3. It was only at the adoption of the Constitution that any true expression was made of the will of *the people* in this matter. They then determined, not simply that the popular will should, as a general truth, give shape and direction to the action of government, but also that it should be done in a particular manner—through a certain system of political machinery—with various checks upon the action of that popular will itself, for the very purpose of securing an eventful calm, sober, and mature expression of it. And, although they may be very respectable assemblages of men, yet no number of persons among a particular constituency can claim any right to this title as "*the People*," to supersede, by mandatory instructions, that original and still paramount authority.—4. In the case of senators of the United States receiving instructions from state legislatures, it is an usurpation of power on the part of the latter to which the former is not bound to pay any regard; both being different sets of representative agents of a common constituency, with distinct duties, rights, powers, and responsibilities, neither in any way amenable to the other, and each bound to confine itself within the strictly defined limits of its delegated authority. 5. And finally, that the alleged amenability to instructions would deprive the popular minority of an important conservative right, as against temporary minorities, which is secured to them in a long and independent tenure of the representative office.

Now, in all this, Mr. Camp loses sight of the idea which lies at the bottom of any system of representative democracy—namely, the very *representative* character of the agent delegated by the people of every particular constituency to speak their voice and act out their will. The just point of view in which our whole apparatus of legislation should be regard-

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ed is, that it is but a set of convenient labor-saving machinery, to supersede the necessity for the assemblage of the great masses of the people themselves, to discuss and dispose of the affairs of their own self-government. This idea would be realized in its highest perfection, when, each of the various subdivisions or districts adopted for the convenience of election being represented, each delegate should correctly express the will of the popular majority of his own constituency. The legislation would then be the action of each separate local majority, and of the aggregate national majority; while a sufficient safeguard to the rights of the minority would be found:—1, in the sense of justice of the majority, and the interest of each individual composing it to respect those rights, which he himself may, before long, on some other occasion, have to invoke, when himself in a minority;—2, in the fact that the majority of to-day is subject to the appellate jurisdiction of the majority of to-morrow, and that the sceptre of its power is sure to depart from it, if it offend the moral sense of the honest public mind by any marked act of wrong of this character;—3, in the triple sets of agents through the hands of which every measure of legislation must pass, each independent of the other, and each representing different bodies or portions of the common constituency;—4, in the universal freedom of every form of public discussion, giving to a minority in danger of being thus injured or aggrieved, such opportunities of remonstrance, and of appeal to the sense of justice as well as to that of the true permanent interest of the majority, as reduce down to the minimum point of probability all such danger as Mr. Camp thinks it useful to guard against in the anti-republican and anti-democratic mode contended for by him. And suppose it to be conceded that an occasional case may happen, that the constituency giving the instructions may be wrong, and the representative disobeying them right, and that before long the majority of the former should come over to the position of the latter; yet this is a case less likely to happen than the reverse, in which unworthy or interested motives should lead to the abuse of his delegated powers by a representative indifferent to a future re-election, or perhaps despairing of it on other grounds; while, as a general rule, unless democracy is all wrong *ab initio*, the paramount authority in the matter may be much more safely trusted to the honest and disinterested intelligence of the popular constituency, than to any individual agent, however prudently he may have been selected at a former day for his post. The chance of his going wrong is at least quite equal to that of error on the part of the majority of the people on the ground of intelligence alone; while on the ground of the impossibility of sinister or unpatriotic iufluences warping the judgment, the danger—a danger of a formidable and mischievous kind—is wholly on the side of the individual.

In the case of a senator of the United States receiving instructions from the legislature of his state, we have always so far agreed with Mr. Camp as not to regard the right as absolute and unconditional on the part of the legislature. Both represent the people of the state; and it may be possible that the representation by the senator, on some given occasion, may be more correct than that by the other body, though that is not a case of very likely occurrence. For example, the matter on which the instructions are given may not have been at all before the people at the time of the election of that body; or, from an unequal distribution of the districts, the minority which voted against the instructions may represent the majority of the people; or some sinister or accidental influences may have

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carried away the majority in the body, or a portion of them, into an act at variance with the true will of their own constituents. In such cases the senator must judge for himself, under a high responsibility to his state as well as to his conscience. He may disregard the instructions, if he truly and honestly believe that, in doing so, he best carries out the actual will of the whole people of his state. But the instructions are *prima facie* evidence of that will, which must be conclusive with him, unless he can positively prove the contrary to the satisfaction of his conscientious belief.

We have no wish to dwell further on this topic, and will add but a single remark in conclusion. Mr. Camp's inference of the intention of the framers of the Constitution, as expressed in the long tenure of office, is quite gratuitous. That instrument was a compromise of many variant opinions. Such was undoubtedly the meaning of some, but not of the more democratic portion of their number; and though the latter consented to the long tenure, it was doubtless under the impression that the working of the system would be in harmony with the genius of that democracy, which was evidently to be the pervading spirit of the whole. The instructions may be obeyed without resignation, even with a protest of the private opinion of the individual; and (not incompatible with obedience to instructions, which are but rarely given, and only on the great occasions usually deemed worthy of such interposition) all the other benefits supposed to be derived from the long tenure may be obtained without a violation of the great cardinal principle to which all others must stand subordinate, of *popular self-government, by the absolute and perpetual prevalence of the will of the majority.*

TO * * * * *

There is no common hate that binds
  Together living souls, 'tis said,
Nor common love of *living* things,
  Like common love towards the dead.

Thus, lady, in thy midnight eyes,
  The shadowy image still is kept,
Of those we dearly living loved,
  And those whom dead we wildly wept.

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SOME IRISH POETS.

(Concluded.)

Of Francis Davis we can say very little, saving that he was a Belfast weaver, who contributed to the *Nation* under the signature of the "Belfast Man;" his poems were so striking, and attracted so much attention, that he could not long preserve his *incognito*. He soon became known and appreciated far and wide, and has been since received as one of the first of poets. We lay aside many of his finest patriotic poems, to make place for an exquisite love-song, always our favorite among Mr. Davis's compositions:—

"Oh! for an hour when the day is breaking,
Down by the shore, when the tide is making!
Fair as a white cloud, thou, love, near me,
None but the waves and thyself to hear me.
Oh! to my breast how these arms would press thee;
Wildly my heart in its joy would bless thee;
Oh! how the soul thou hast won would woo thee;
Girl of the snow-neck, closer to me!

Oh! for an hour as the day advances,
(Out where the breeze on the broom-bush dances)
Watching the lark, with the sun-ray o'er us,
Winging the notes of his heaven-taught chorus.
Oh! to be there, and my love before me,
Soft as a moonbeam smiling o'er me;
Thou would'st but love, and I would woo thee;
Girl of the dark eye, closer to me!

Oh! for an hour when the sun first found us,
(Out in the eve with its red sheets round us)
Brushing the dew from the gale's soft winglets,
Pearly and sweet, with thy long dark ringlets:
Oh! to be there on the sward beside thee,
Telling my tale, though I know you'd chide me;
Sweet were thy voice though it should undo me—
Girl of the dark locks, closer to me!

Oh! for an hour by night or by day, love,
Just as the heavens and thou might say, love;
Far from the stare of the cold-eyed many,
Bound in the breath of my dove-souled Nanny!
Oh! for the pure chains that have bound me,
Warm from thy red lips circling round me;
Oh! in my soul, as the light above me,
Queen of the pure hearts, do I love thee!"

Here follow a whole host of poets, magazine writers, and bolder speculators who have published in volumes; but we must pass them by quickly for the reader's sake, pausing only to say that D. Florence McCarthy is worthy to be the leader of the class. He was a poet, but not a great one. He wrote, but did not feel; and, not feeling, it were

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better had he never written. His poems are marked with graceful imagery, pure language, fertile invention, but not manliness. M. J. Barry was brought into prominent notice by Smith O'Brien, who quoted the concluding lines of one of his poems in his speech before the court, by which he was convicted, and sentenced to transportation. The lines, it will be remembered, were :—

> "'Twere sweet, indeed, to close our eyes,
> With those we cherish near,
> And wafted upwards by their sighs,
> Soar to some calmer sphere;
> *But whether on the scaffold high,*
> *Or in the battle's van,*
> *The fittest place where man can die,*
> *Is where he dies for man!*"

We now turn our attention to John Savage: the few important facts we have of his life may be briefly stated. He was born about the year 1828, in the city of Dublin, where his father was a tradesman in considerable business, and a man of some political influence. The poet was, we believe, originally designed for the church, a calling in which he might have shone, but not the profession of his own choice. His taste inclined him towards art, and he was fast winning a position among the young artists of his native land, when the voice of revolution called upon his patriotism, and he enlisted among those choice spirits who were lifting arms against their tyrants. He was for a considerable time at the head of one of the revolutionary parties in the mountains, and while in this position made great exertions, and endured excessive fatigue. When the fate of his unfortunate country had been sealed, and it became dangerous for him to remain in Ireland, he concealed himself until a favorable opportunity for escape presented itself, when he emigrated to this country, and has, since his arrival, secured for himself an excellent position among our writers.

Mr. Savage's book, "Lays of the Fatherland," has already attracted the attention of critics on this side of the water, and has been received with very general favor. It contains many poems upon which Mr. Savage might have improved; but the circumstances under which they were written affords ample excuse for their faults: in the mountains, with no covering but the canopy of heaven, no bed but the sod, and pursued by the trained, red-coated bloodhounds of British philanthropy, it is more a wonder that they should have been written, than that they should be triflingly defective.

The descriptive powers of this poet will be shown to the best advantage in an elegant poem, St. Anne's Well, from which we quote the opening passage :—

> "Adown the lov'd valley of sweet Glan-nis-mole,
> The Dodder's wild waters in bright rapture roll,
> *And woo the brown heath in its winding career,*"
> *Like a young lover stealthily pressing his dear;*
> Or yet, like the red Indian tracing the spot,
> Where the white man has ravish'd his primeval cot;
> *And it steals, and it foams, half in fear, half in joy,*
> *Like a girl all in beauty—all pride, like a boy.*"

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Further on in the same poem, we find the following graceful lines :—

> "Where the green ivy close the old ruin doth span,
> *And clings like a lover, whose constancy wages*
> *A war with old Time, growing fonder through ages.*"

The poem, entitled "Mind—A Labor Chant," has been extensively quoted, and with most of our readers it is undoubtedly familiar; it is a powerful poem, and does great credit to its author, whose sympathy for the down-trodden millions is boldly expressed. Many of Mr. Savage's writings, since his arrival in this country, have been published in this Review, as, for instance, his critique upon Edgar A. Poe, which is, perhaps, the best known of all his late writings.

We extract further from Mr. Savage's book a sonnet upon Mitchel. This most difficult class of poems—sonnets—seldom ever approach perfection, and though in this instance we have not a perfect one, it is still more deserving of the name than ninety-nine out of a hundred thrust upon the public by ambitious scribblers.

> "Like a sky-wonder in a gloomy night,
> Outshone this man upon the ways of men;
> Illumining the fetid social den,
> In which souls dwindled in the prime of might,
> For that they lacked an honest, guiding light,
> To cheer them from the chamber-house of chains,
> Where ghouls, with more tongues than the crop had grains,
> Bought up their sense, re-bringing with it bright
> Golden-lined favors from the despot's hand.
> Oh! thou wert one, John Mitchel, in the isle,
> To stand before the dooming cannon's file,
> And preach God's holy truth unto the land!
> Ay, your faith shook them from the damn'd eclipse,
> As Christian sinners shrink 'neath the Apocalypse."

Mr. Savage is yet young and talented; there is a wide field for him to work in, and industry, coupled with the ability which undoubtedly he possesses, may yet place him in the foremost rank, by the side of those who have won the smiles of affluence, and the crown of immortality.*

We have reserved for our last notice, one of the most remarkable and least known men of the present day—*Joseph Brenan.* He is a man of strong and independent mind; in a word, "a Thinker!" Deeply imbued with the spirit of a philosopher, he looks upon Nature as having been perverted by Art, but still capable of being brought to perfection, and, in its purity, becoming the Christian's millennium. He is a true and zealous republican, ardent in his attachment to the great principles of democracy: while his first wishes centre upon Ireland, he yet cherishes a hope to see the blessings of social and political liberty spread from pole to pole, and all

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* Since writing our notice of Mr. Savage, we have met with an extract from a letter written by Miss Alice Carey, the poet, to a western paper, in which she mentions that Mr. Savage is engaged upon a new metaphysical and imaginative poem. She says: "I have had the pleasure of seeing some few of the stanzas in MS., which seemed to me like a string of pearls."

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mankind, from the yellow Asiatic to the red Indian of the forest, joined by the bands of holy brotherhood in one indissoluble union.

In several points Mr. Brenan bears a great resemblance to Jean Paul Richter. He has the same strong grasp of intellect, the vivid imagination, and the deep insight into nature, which characterized the "ONLY ONE" of Germany. He is Richter, without all of Richter's peculiar humor. Like him, he was designed for the church, and like him, too, he could see only mockery in the forms of religion; he saw that theological theorists had so deformed the *body* of religion, that its *soul* could not exist in it. What Carlyle said of Richter, might with equal justice be applied to Mr. Brenan:—

"It is not with the feelings of a mere painter and view-hunter that he looks on Nature; but he dwells amid her beauties and solemnities as in the mansion of a mother. He finds peace in her majestic peace; he worships in this boundless temple the great original of peace, to whom the earth and the fullness thereof belongs. For Richter does not hide from us that he looks to the Maker of the Universe as to his father; that in his belief of man's immortality lies the sanctuary of his spirit, the solace of all suffering, the solution of all that is mysterious in human destiny. The wild freedom with which he treats the dogmas of religion, must not mislead us to suppose that he himself is irreligious, or unbelieving. It is religion, it is belief, in whatever dogmas expressed, or whether expressed in any, that has reconciled for him the contradictions of existence—that has overspread his path with light, and chastened the fiery elements of his spirit, by mingling with them mercy and humility."

Among his own countrymen, Mr. Brenan most closely resembles Mangan. There is a similarity both in mind and appearance; he has the same deep-looking eyes, and a head, which in its phrenological development, is markedly similar. The two were warm friends, and many of Mangan's finest poems were addressed to him; among others, one in which he gives us a miniature picture of the poet now occupying our attention:

"Friend and brother, and yet more than brother,
  Thou endowed with all of Shelley's soul!
Thou whose heart so burnest for thy mother,*
That, like *his*, it may defy all other
  Flames, while time shall roll!

"Thou of language bland, and manner meekest,
  Gentle bearing, yet unswerving will—
Gladly, gladly, list I when thou speakest,
Honored highly is the man thou seekest
  To redeem from ill."

Mr. Brenan has published less poetry than most of those with whom we have had to deal; but all that he has given to the world bears marks of a master hand. His contributions to the Irishman, the paper edited by him in Ireland, after his escape from prison, and in defiance of England's power, were generally healthy and vigorous in their tone; he wielded a mighty pen, and had a thorough command of the most poignant satire. As a political writer he was eminently capable, having a thorough knowledge of the workings of every system of government. As a critic, he was ever

* Earth.

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careful, inclining always to kindliness, and free from the prejudices incident to narrow minds. But it is with him as a poet that we have to do; and we may safely claim the right to place him by the side of any we have named. Poetry is his art, and he is a master of it; he has written upon many subjects, in many styles; his thoughts are always fine, though the dress in which they appear may sometimes seem carelessly put on. He has the poet's nature; a nature indescribable, but easily detected; wanting always in the regions of worldly prudence, but never in the higher realms of thought. His grand poem, "The Commonweal of Rome," was the warm outgushing of a republican heart; it was improvised while the poet was a state prisoner, upon hearing that a republic had been proclaimed in Rome.

The "Exile's Dreams" was published some months ago in our contemporary, "The American Whig Review," and a finer poem has not been published this many a day. It has the very soul of feeling, and we cannot but wish that our author would continue writing in such strains of melody. Mr. Brenan has been passive for some considerable time, and, we think, this can be traced to a simple fact. He had set his heart upon the independence of Ireland; had given himself up to that object; his country was his bride, and fairly and honestly did he stand by her; the revolution failed, and the object of his life was defeated. The shock was a heavy one; it shook him to the centre, overthrew his plans, and some months in a prison as a traitor made him reckless of life, and unmindful of fame. But he will rise again, and the world may yet look for one man capable of following James Clarence Mangan in the bright fields of poesy and prophecy.

The most popular of Mr. Brenan's poems is the ballad entitled "Charlotte Corday." We call attention to such verses as the following:—

"She stood upon the scaffold, and her form
  Dilated in its pride;
She stood serene amid the frantic storm,
  A vengeance sanctified!

And in the radiancy of stern delight—
  Anticipated bliss;
She seemed—that maiden, terrible and bright—
  A human Nemesis!

* * * * * * * * *

Oh! sing the requiem, children of her land;
  For she unloosed your chain!
And, if blood shone upon that snowy hand,
  'Twas blood that left no stain.

Weep, weep the martyr, she was like the sun—
  A blessing overhead!
Shedding pure light, until the goal is won;
  Then deepening into *red*."

The terseness and point of these expressions will give a general idea of Mr. Brenan's style; he gives us *thoughts*, not fustian; and we rise from the perusal of one of his poems with the strong impression that we have been in communion with a man of genius who has left the marks of his mind upon our own.

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One more extract, and we have done; the following ballad has never before been published, and we esteem it a great favor, this privilege of introducing it to the public. We can only say that it is a beautiful poem, highly imaginative, purely affectionate, and singularly melodious:—

"Come to me, dearest, I'm lonely without thee,
Day-time and night-time I'm thinking about thee;
Night-time and day-time in dreams I behold thee,
Unwelcome the waking which ceases to fold thee:
Come to me, darling, my sorrows to lighten,
Come in thy beauty to bless and to brighten;
Come in thy womanhood, meekly and lowly;
Come in thy lovingness, queenly and holy.

Swallows will flit round the desolate ruin,
Telling of spring and its joyous renewing;
And thoughts of thy love and its manifold treasure,
Are circling my heart with the promise of pleasure.
Oh! spring of my spirit, Oh! May of my bosom,
Shine out on my soul till it bourgeon and blossom;
The waste of my life has a rose-root within it,
And thy fondness alone to the sunlight can win it.

Figure which moves like a song through the even,
Features lit up with the reflex of heaven,
Eyes like the skies of poor Erin, our mother,
Where sunshine and shadow are chasing each other;
Smiles coming seldom, but childlike and simple,
And opening their eyes from the heart of a dimple;
Oh! thanks to the Saviour that even thy seeming
Is left to the sleeper to brighten his dreaming.

You have been glad when you knew I was gladdened;
Dear, are you sad now to hear I am saddened?
Our hearts ever answer in tune and in time, love,
As octave to octave, or rhyme unto rhyme, love;
I cannot smile, but your cheek will be glowing;
You cannot weep, but my tears will be flowing;
I could not die without you at my side, love;
You will not linger when I will have died, love.

Come to me dear, ere I die of my sorrow;
Rise on my gloom like the sun of to-morrow,
Strong, swift and fond as the words which I speak, love,
With a song at lip, and a smile on your cheek, love;
Come, for my heart in your absence is dreary;
Haste, for my spirit is sickened and weary;
Come to the arms which alone shall caress thee;
Come to the heart which is throbbing to bless thee."

This is an exquisite love song, superior to Thomas Davis's Welcome, or Francis Davis' Nanny, both of which, however, are gems of composition. Mr. Brenan's song has more warmth, more feeling; it is the outpouring of a trusting, generous, and loving heart, and enviably happy is the lady to whom a poet addresses such lines.

And now our task is over; task did we call it? It has been a pleasure to wander in the midst of so much poetry; to bring to the notice of American readers such gems of thought and master-pieces of style. It

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has been a pleasure to us, and we trust that we are not alone in the feeling; we trust that those who have read will sympathize, will honor, will promote.

We have lingered so long, and yet have gone over so little of the ground, that we feel a deep regret in thus approaching the conclusion; but the hour of parting has come, and we give our efforts to the world, in the hope that they may be found worthy of favor. Yet a few remarks in conclusion; not in extenuation of ourselves, nor by way of apology; we have none to make. We would only ask, if a literature so rich and varied in material is not deserving of notice and study—if a country where genius is so fertile, where poesy finds so many followers, the drama such consummate masters, the court and the council-chamber so many advocates and orators, and art so many devotees, should be down-trodden under the heel of despotism; her energies crushed and cramped, her genius unrewarded, her peasantry exiled from the homes of their fathers, her poets bound into menial service, or starved in the broad sunshine under the dome of an all-bountiful heaven?

CANZONET.

1

Maiden! wrap thy mantle round thee,
  Cold the rain beats on thy breast:
Why should horror's voice astound thee?
  Death can bid the wretched rest!
    All under the tree
    Thy bed may be,
And thou mayest slumber peacefully.

2

Maiden! once gay pleasure knew thee;
  Now thy cheeks are pale and deep;
Love has been a felon to thee;
  Yet, poor maiden, do not weep:
    There's rest for thee
    All under the tree,
Where thou wilt sleep most peacefully.

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REEDYRILL.

A FUNERAL.

The next morning, when I descended into the breakfast room, I found Floralie making coffee, and Father Claude, who had just arrived, over his neswspaper and cigar; the rest of the family had not assembled.

"Father Claude, what news from Black Oak this morning?"

"Ah! sad news," he replied, taking out his cigar from his mouth.

"What?" I asked in alarm.

"Dreadful work, sad event—poor Laurine, orphaned in a night."

"Is Mrs. Iveson dead?" asked Floralie and I in a breath.

"Dead!" he echoed mournfully. "Shortly after you left, we found that she was a raving maniac. Oh! you cannot tell how Laurine suffered in that sad hour: I almost feared for her own intellect at times. For nearly three hours the poor bereaved wife raved with an extravagance of frenzy that I never saw equalled; towards morning she sank into a fevered sleep, which seemed to be forced upon her by an opiate administered almost with main force by the Doctor, who told me at the time that he had serious fears for her life, and that in all probability the re-action on awakening would be so intense that *coma* would supervene, which might never be overcome. His fears were doubtless realized; for this morning, when I came into the room a little after daylight, for I was compelled, from my recent fatigue, to take some rest, I found the Doctor by her side. On asking the condition of his patient, he shook his head, and put my hand upon her pulse—it had ceased to beat."

"Oh! dreadful," said Floralie; "and good father, how did you leave poor Laurine?"

"Alas! entirely prostrated; the Doctor forced her also to take some soporific—I left her asleep."

"I will get my bonnet and go right away over there. I must be with her, poor girl; I know what she must suffer. Ernie, can I have the carriage?"

"Certainly," and I rang the bell for Munro.

"She will leave Black Oak this evening; she is going to stay at Redrose Cottage until her brother gets back from Mexico."

My heart bled for Laurine.

It was while Floralie was fixing to start over on her kind but mournful errand, that I gathered from the worthy father the particulars I have related in the last chapter in regard to his adventure with the rocket-bearer; and in the recital, Toppy came in with news from the village of the capture of said skylarking rascal in the hayloft, by Shelby Bradshaw, who, as I have mentioned, put the hounds on his track about day-break. He also informed us that the village had been perfectly quiet during the night, and no disturbance, though there was much excitement this morning when the news reached them; several negroes had been arrested, and one or two lynched by the enraged citizens. And this was the last of Mulatto Mat and his Rebellion.

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During this day and the following, which was spent in much gloomy *ennuye*, I could not but revolve in my mind occasionally the events of the past night; and I could not help feeling a degree of painful surprise—which, in truth, had obtruded itself upon my mind at the time of the occurrences alluded to, but I suffered not myself to dwell upon it—at the manner in which Laurine had acted—the weakness and timid nervousness she had shown, so unlike the character I had pictured to myself of her as a high-spirited heroine. But though disappointed, I sought in the terror, surprise, and dreadful character of the bursting in of an impious gang of sooty fiends at the calm, slumberous hour of night, wholly unexpected, a sufficient excuse. Still, I was not satisfied; I don't admire a dashing, masculine sort of woman, but I look for that high courage becoming in man or woman, which in the latter rises above the frail timidity of her sex when called forth by circumstances where important results—results of life and death—turn upon the decision or indecision displayed by the actors.

It is true, that in this instance no heroism in Laurine would have availed, but still, as a southern woman, and especially a Kentuckian, I looked for her to have showed it—even suicide, for she had the means—would have been preferable to a cowardly submission. But I am wrong—my savage childhood had taught me ideas of woman's heroism, such as I, perhaps, ought not to have looked for even in a daughter of the Dark and Bloody Ground.

Of feminity, Laurine possessed not so much as some others; her intellect, I had found almost masculine in its tone and strength, and this is why, perhaps, I had expected her to seize a rifle, or rush to her mother's side, instead of cowering into the parlor.

The former attack which Matto had made at the spring had been too suddenly intercepted by me for her to have time to manifest aught either of alarm or bravery; how it might otherwise have been, I can only judge from what I saw her manifest last night.

But did this lesson my love, if I may call the sentiment I felt towards her by that name? It did in some degree; it seemed to modify its character, making it more purely intellectual, perhaps, than ever.

Laurine was still the Vishnu of my day-dreams.

The day afterwards, Floralie, Aunt Eliza and Mrs. Overton, all went over to Black Oak to bring Laurine to Redrose; Colonal Overton and Topcliff had taken Parker and the hounds and gone out in the woods in quest of "Yellow Jabe," who had contrived to "absquatulate;" Bolivar and Father Claude rode off somewhere together, and I was left at Reedyrill by myself. There was no one about the house but old Aunt Rachel, who was in the dining room, knitting, and singing in the most doleful voice a doleful Methodist hymn, about:—

> "When Dan'el in the lion's den,
> Jesus was po' Dan'el's frien,'
> Do thyself no harm."

The weather was warm and almost sultry; I felt gloomy and oppressed, and the unmusical whining psalm of the old negress ringing in my ears, I could almost have cut my throat of ennui. I could not bear to see Laurine—I had not seen her since that night—to-day was the funeral—I knew that the sight of her would at present be pleasant to neither of us, so I would not go over to Black Oak, and I could not be at rest away.

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With a fever-feeling of dulness and gloom I stalked about the lonely and deserted house, whose silence, when Rachel ceased her melody, was only disturbed by the chirping of a cricket or the droning of a blue bottle fly against the window. I wandered from room to room to amuse myself, but in vain; no companion was to be found, save the cat, dozing on the hearth-rug; and the encumbrance of life hung like clay upon my skirts. I took up my pencils to sketch, but mechanically I found myself outlining gloomy desolate scenes—a cabin with a broken down fence, and a dead tree with a rueful-looking bird perched thereon. I touched my guitar, but I found it only echoed the sadness of my soul. I picked up a book to read: by a coincidence it was "Zimmerman on Solitude."

Out doors it was equally desolate; everything wore a peculiar air of loneliness. Hero was lying asleep on the soft grass; the sunshine seemed to be asleep, too. The horizon was dimmed with a hazy blue, the sky was cloudless. The chickens clustered together in listless groups, or nestled themselves on their roosts; the ducks were standing about on one leg, with bills tucked under their wings, anon giving a sideward glance towards the sun, to keep a look-out for the marauding hawk, or, as negroes believe, speculating on a change in the weather. Not a breeze was stirring, the very trees were motionless; not a leaf moved, except now and then a solitary one would twitch nervously backward and forward, as if fanning itself, and more as if caused by a vitality in the tree, than any breath of that hot air, which in the tobacco field that skirted one side of the horizon, fairly boiled up with a wavy, simmering undulation. Not an object of life or motion in view, here and there only a solitary buzzard, soaring slowly away up in the blue sky. I took my hat, and whistled up Hero from his siesta for a walk, my always solace for sadness or tedium. From a constant habit, I mechanically bent my steps towards Rosebrook. All was as lonely where I went, as it had been when I set out; and Nature, as she often does, seemed to harmonize with, and participate in, the peculiar state of my mind. I began to enjoy the thing. I sank down in the very repose of dullness, which at last I drove away by my everlasting day-dreaming. I sat down in a small heath, covered with hawthorn and stubby cedar bushes, and slabs of gray stone, and commenced chiseling the name of Laurine on the rock; when, at length, tired of this, I wandered on, crossed the old stone bridge that arched over Reedyrill, and finding the door open, I entered the chapel, and seating myself in the dark, the gothic carving, and the dim, mysterious light let in through the stained lozenge panes, carried me in fancy back to the feudal castles and abbeys of old years, in that storied land beyond the sea. I was happy that, amidst the old forests and new scenes of Kentucky, there should be any memento, even to the extent of a little gothic chapel—of those other days—those days in which the grandsires of Kentuckians, those lace-coat, big-cuffed, knee-breeched, shoe-buckled, cocked-hatted gentry, worshiped God and honored the king—ere chimney-pot hats, and stove-pipe pants, and equally unsightly democracy, religious and politic, had come in vogue.

Forthwith began to steal over my mind, dreams of those old days of armored knights and their old-fashioned exaggerated gallantry, and wild romantic modes of life and thought; of the women of those days—gentle, soft-cheeked, heaven-eyed women, who in high beauty sat enthroned and received the homage of mailed knee and bearded lip. Imagine those rough eagle-browed warriors laying the shattered shield of his competitor

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in some hard-fought field, before a gentle, silken-haired girl. See him, too, in the outringing clangor and hoarse destruction of battle, with the silken favor, which had rested on the soft bosom of his ladye-love, now fluttering above the din on his dire lance. Ah! woman, then was the day of thy glory. But how different, too, must have been the women then; the Joans d'Arc, the Dutchesses of Man—the other noble women of chivalry—who could brace on a helmet for the nonce, and defend the castle of father or husband from attack of foemen, bind up the wounded retainer, and do all missions of charity and mercy; whose very title of proud nobility, *Lady*, signified, in our old language, the *Alms-giver!*—how different, I say, from the painted parlor doll of the present time, who lists to the rapid adulation of some essenced empty-sculled monkey;—beautiful and gentle then as now, with devotion, duty, heroism and purity, far, far greater then than now!

I thought of the wild loves of these old warriors, or some red-lipped, soft-checked page, for the lovely dames—and the quiet affection of some peasant maid and her rustic lover,—all the romance and beauty of that sunny youth-time of history.

Visions uprose of the castle and cottage, and the scenes in hall and hamlet of the gallant and daring deeds of the noble lord of many a broad acre; of the high-born, dark-browed lady in her turret boudoir, with some heart-broken page of golden flowing curls and slender dainty form, sighing Æolian love beneath her lattice; of the gray stone castle, with its towers, moats and portcullis, draw-bridge and donjon-keep. The out-peeling vesper bell, through vale and wood, of some gothic convent—its sombre clad inmates—perhaps some broken-hearted maiden who had found, within those hallowed walls, a refuge from the crime and delusion of this cold unforgiving world. Blessings on the man who invented nunneries! Where and what is the refuge that this glorious modern civilization offers to the devoted victims of man's baseness? My cheek burns with shame too great to suffer me to avow.

Thanks to thee, Walter Scott, as the magician whose wand opened to my enchanted eyes all the fairy glory of the Lang Syne. These old fancies of old-fashioned beauty, repudiated and condemned by this present day, which came flitting in many a wild fantastic phasing, as I leaned against a pillar in the little dark, cool, Gothic chapel, were interrupted by a sound of wheels and horses' hoofs without. On advancing to a deep bay window which overlooked the churchyard, I saw a line of carriages, with closed blinds, following in the rear of two hearses, all of which issuing from beneath the tall trees of the woodlawn, crossed the bridge, and drew up around the burying-ground, in which I now, for the first time, observed two open graves, side by side, with the fresh earth thrown up around them. The pall-bearers entered the church and placed two coffins before the altar; while the funeral service was performed, I remained ensconced in the window, but among the assembled company of neighbors, I observed that *she* was not there; there stood Bolivar with his dark brow and black eyes bent in solemn reverence to the floor; there was Topcliff and Floralie, the handsome and gay young Montmerry, and many ladies and gentlemen, dames and squires of the county, in black, all mournful, stiff, and gloomy, with downcast faces—even the jolly rubicund visage of Colonel Overton was contorted, with an almost ludicrous effort, into as great a degree of solemnity and dignified grief as it was capable of assum-

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ing. But amongst all this group of sad, staid faces, I wondered to find that of Laurine absent. The ceremony over, the remains were carried to the grave, the clergyman offered up a brief solemn prayer, and they were lowered down, the cords drawn up, and at that moment, in looking up, I caught sight, in the window of a carriage standing close by, a veiled face which I knew at once; as the first shovelfull of earth was thrown in, the veil was nervously raised—Laurine's dark, intellectual face was pale and cold as marble, her lips compressed, and her eyes full of bitter grief; she shed not a tear, but when the earth fell with a sepulchral sound upon the hollow coffin, it seemed to strike a death-knell into her heart—her under lip quivered, she clasped her hands with an intensity of agony that is indescribable, and sank back out of sight. A chill ran through me as I saw how acute was her silent suffering.

The sod was replaced on the mounds, the pious minister of God made a few solemn extempore remarks appropriate to the occasion, and, after a pause for the ghostly admonitions to sink into the hearts of his hearers, he turned away, and the funeral cortege slowly withdrew.

Do not take me for a ghoul when I say that, with all its painful emotions, I enjoyed this scene—I deeply enjoyed it—it so accorded with the mood of mind that I was in, that it seemed to give a secret joy to my soul. It is not unnatural such a feeling; there is poetry in all this. It has been truly said that there is a pleasure in grief. Our hearts are often attuned to the mournful, as well as the gay and happy scenes of life. I always took a pleasure in funerals, especially when they took place in sombre winter, with gray clouds driving before the wind, or even more so in some quiet dreamy summer day, full of stillness and sunshine, like to-day. Churchyards were always a favorite haunt with me in the witching hour of night, as well as in daylight; and I have often sat for hours, on a tombstone, in the mysterious half light of dusk, or the more mysterious moonlight, imagining that I could see shadowy spectres gliding about, or weird faces peering down from the night clouds as they hurried through the dim sky.

The procession withdrew—but one carriage remained; seated as I was, out of view, on a tombstone sheltered by a cluster of shrubbery, I saw the coachman let down the steps after the last carriage had disappeared, and a female form clad in black descended, and throwing her arms around that cold turf-clad mound, she wept—found relief for her pent up agony in a flood of tears. Floralie, who remained in the carriage, also sobbed aloud, and I myself was affected almost to tears. Her unobtrusive yet intense anguish, which had restrained itself by a powerful mental effort when in the presence of others, now that she deemed herself unobserved, now burst forth uncontrolled. I almost reproached myself with being a witness of this holy secret, but it was unavoidable and unintentional on my part, and I felt that it did me much good.

At length Laurine arose, entered the coach, and departed, and no one was left of the spectators of that last sad event in human life, in the little graveyard, but myself. The summer sun shed its rays on that quiet grave as brightly as before, and a little bluebird was picking grubs from the upturned earth upon it.

At least two months—perhaps more—passed away, during which time Laurine remained closely secluded at Puckshenubbie, and I saw her only at rare intervals, and then briefly. Her grief seemed to have subsided into a settled melancholy, and her deportment changed into a subdued but

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impenetrable reserve; she received no visitors, indeed, but the steady and sedate Bolivar and our family—myself included, indeed, but I cannot say encouraged. Such gay and frolicsome young folks as Ike Montmery and Annie M—— she banished from her presence entirely. Floralie was the only exception, but Floralie's quaquaversal disposition could adapt itself to the melancholy of her mourning as readily as to the rollicking frivolity of the others.

In this time, however, I had some intercourse with her, and as I became more acquainted than I had been, I began to find that the grand eccentric woman of genius, with all her singular and fascinating attractions, was too cold and haughty for me; that the raven hair and lustrous eyes had deluded me with false pretences. The pole of the magnet which had so curiously attracted me at first was beginning to turn, and to present its cathode towards me, and I now began to feel a repulsion almost equal to my former attraction. Not that there was an actual repugnance, but the ebullient glow which had been excited at first began to die away, and—in short, I found that I did not love Miss Iveson; and though I had tried with all my might, I could not bring myself to do it.

Bolivar was spending much of his time at Reedyrill, and among us we had capital times.

One evening, as usual, Bol proposed a walk.

It was one of those calm, quiet evenings we sometimes have in summer. The western sky was like a rosy sea with delicatest shades of blue and pinky gold, and floating in it were silvery islets of many a glorious hue from tenderest tinge of lilac and fawn-color blending into blue to the warmest-dyed imperial purple, gold and silver. And in that clouded archipelago was pencilled out many a vista and fading-away perspective, such as we see in some of the best pictures of the immortal Rembrandt. Zenithwards, a white dimpled fleece spread awide its silver-fringed mantle until it melted into the neutral lines of the east, and one little star, not waiting the sun's descent, had stolen out, and was glimmering faintly aloft.

The chimneys, the gables, the dove-cote, the tree-tops, were crowned with a halo of golden beams. The chickens were fluttering up in the trees in the back yard to go to roost. The partridges, in the sweet-scented field and meadow, were whistling to their mates to come home to rest.

The night-hawk, with whirring wing, was swooping through the air. The large-eyed hares are sitting about on the road side to spend the twilight in philosophic contemplation.

I was wandering through the woodland scene of quiet loveliness, rifle in hand, with intent of shooting some of those same long-eared gentry, as they squatted in the dust, but I could not bring myself to disturb the holy quiet of the scene by the report of my gun. We slowly rambled along, drinking the cool evening air, scented with the perfume of fresh-cut hay and wild flowers: the "feeble folk" hopped out of our path unharmed, the whistling partridge whizzed up from a leafy bunch at our feet, the gray squirrel peered at us with his round arch eyes from some old oak, unpursued by my bullet.

In the distance was heard the wild plaintive notes of Sambo—Oh! unpoetic climax—I *sha'nt* say it.

But why not? All rustic avocations are poetical according to rule, and have been celebrated in pastoral song, from the time of Theocritus—enough, I'll say it at a venture—calling hogs! And from dark rank weed-

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bed, from pleasant clover-slope, from shady nook and warm straw nest, and from the bedded ooze of the slow-running brook, the rotund grunting porkers were hastening respondent to the wild and mellow notes of ebon-hued Ethiop.

I have heard the Canadian boatman's song some moony night on the broad St. Lawrence; I have heard a bugle's notes pulsing over a lake's still bosom; I have heard a lute sigh under beauty's window—but for pathetic wildness and dreamy romance; commend me to some bell-throated African—heard in the distance—of a twilight summer eve in old Kentucky—calling hogs.

By this time we had come to the bridge that led to the chapel and to Puckshenubbie, when a strain of melody burst on our ears, on hearing which, I must say, that Sambo's song lost its charm.

"Ernie," said Bol, taking me by the arm, "look yonder, listen! There's music for you.

> "—if thou wilt behold all beauty's store,
> See her reclining on the forest grass!
> Do not those curls of glossy jet surpass,
> For tenderness, the soft hand twined
> Amongst them—"

It was Laurine Iveson and Floralie Overton reclining on a green bank, and Laurine was singing to the accompaniment of my cousin's guitar. It was the first time I had ever heard Laurine sing; she could not equal Floralie in melody of modulation, and her *soprano* had not that high scope and bird-like clearness in which my cousin had excelled; but her voice was a quasi-tenor, rich and melancholy, peculiarly adapted to the movement of the song in the minor key which she was singing.

"Fair lady," cried Bolivar, advancing with more gallantry than I had supposed him capable of, "is that exquisite melody your own?"

She started blushingly from her mossy couch in some confusion, for neither of the girls had seen us, until we advanced upon them, but collecting herself in a moment, she said, waving back the proud profusion of her night-hued hair:—

"Ah! how ungallant in you, gentlemen, to entrap my poor improvisation! I am compelled to own it mine, for I know not at whose door else to lay the crime."

"It was very beautiful to my ear," said I, in a tone to show that I intended not the empty flattery of mere courtesy, but serious praise; and she, like a woman of tact and sense, at once took it so, and said unaffectedly:

"Thank you for attuning your ear to find beauty in so simple a lay."

"The hour and the place are well adapted to the creation of harmonious thought," said Floralie. "When all is melody without, how can there but be melody within?"

"Yes, this beautiful scene is full of poetry," said I.

"While we are on the subject, Ernie," said Floralie, "I wish to ask you a question: Is poetry the *ex*pression or the *im*pression of the beautiful?"

"Both; where the one is, there will the other be. Where the seed

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lies buried, there blows the flower. True, the flower may bloom unseen in the hedge, or in the pathway be trampled down, but the flower is there."

"I am no admirer of poetry, in the common acceptation of the term," said Miss Iveson briefly.

"How can you say so, who are endued with the fire of Olympus yourself?" asked Floralie.

"It is the *ex*pression of poetry that I speak of," she replied, "it is so often feebly done; so much of it is a factitious mockery. If there is any *im*pression of it in me, if I see it truly imprinted in others, I am ready to bow in obeisance."

"But we have great poets who have by their enchantment wrought the living impress of the holy inspiration with which they are endowed upon the hearts of others," said Floralie warmly.

"Not many. I like Ossian: he *is* a poet; he dwells in the regions I love, and by his enchanting rod, as you say, Floralie, he can transport you to those glorious realms where he himself is at home."

"Is there no other poet but Ossian?" asked Bolivar.

"Perhaps, but not many; I despise Shelley, because he is ever painfully soaring with wings that are too light to bear his weight to realms that he cannot attain; and if he should chance to reach so high, he clings in the shrouds like an unskilful sailor.

"I would have loved Byron's high and haughty spirit, but for his weak sentimentality and childish repining for spilt milk"—

"It is that acknowledgment of purity, and that whilom sigh for innocence which he had lost, that I most admire in him," interrupted Floralie.

"Your divine Shakspeare," continued Laurine, "I consider at best but a piebald and harlequin genius: Wordsworth an insane driveller, halting between intellectual greatness and idiocy; Coleridge a bubble blower and butterfly chaser.

"Wordsworth's mind is a microscope, Shelley's a telescope, Shakspeare's a kaleidoscope, Byron's a piece of smoked glass."

"You'll grant," said I, "that the telescope and the microscope both reveal wonders hid from the common eye."

"But the one has not told us what the nebula are, nor the other discovered to us the ultimate atoms of matter."

"But I don't think we should condemn them, because they could not reach that which is unattainable, but rather concede them all praise and honor for what they have revealed and made known unto us."

"I do not condemn them because they could not achieve the impossible, but for the folly of trying to do so."

"What think you of Milton?" asked Bolivar.

"I never could get farther than the first page of the 'Paradise Lost,' and consequently am not able to pass sentence on his poetical merits. He was a Presbyterian, I believe, however."

We rambled on in such converse on poetry, philosophy, and religion, Laurine always striking out some strange fancy or original opinion, and displaying a proud and dominant soul that in my mind congealed all idea of so warm a sentiment as love into the frosty scintillations of admiration.

Beside this dark-eyed queenly woman shone out in bright contrast my little blue-eyed cousin, my fair and gentle Floralie.

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"She was not broune ne dunne of hue,
But white as snow yfallen new,
With eyen glad and browes bent,
Here haire down to here middle went,
And she was simple as lamb to see,
Full debonair of herte was she."

Methought their beauty was well typified by a flower which each wore in her hair—my cousin's was a white camellia, Laurine's a moss rose.

In the course of our conversation, Laurine and Bolivar fell into a discussion about his friend Milton, and, as Bolivar always made it a point to contradict and combat all her notions, they soon became so absorbed in their controversy, that Floralie and I were thrown together, and we imperceptibly dropped out of the conversation. People who are arguing generally walk faster than those who do not, and so we fell behind. Floralie had been staying at Puckshenubbie ever since my return from college, and I had not seen her before for more than a week; the last time I was over there she happening not to be at home.

I asked her how it was that she always made it convenient to be away whenever I came over to the colonel's.

"How is it that you always make it convenient to come when I am away?" said she.

I demurred to this, and she answered:

"If you will charge it upon me, I have a ready excuse to offer. Knowing that your visits were not intended for me, I had not supposed that my presence was necessary."

I thought there was a slight tone of pique as she made this reply.

"Floralie, you are hinting now that I came over there to see Laurine Iveson"—Laurine and Bol by this time were out of ear-shot.

"I will do more—I openly accuse you of it, not that I take any exception to it, for it is none of my business, you know; but I suppose you had no care to conceal that such were your intentions."

"You seem, my dear cousin, to take but small interest in my affairs; but I do deny that my object in visiting Puckshenubbie was wholly for the purpose of seeing Miss Iveson. I have always told you that I did not love her; I never have; and now that I have found her as you said she was, though gifted, cold, proud and haughty to all she deems her equals or superiors, with the exception of a few associates, and with a sort of aristocratic condescension and affability towards those she regards as her inferiors, I am farther from loving her than I ever was."

"I am glad to see that you at last appreciate her character as it really is," she replied, relaxing somewhat of the reserve with which she had been speaking, "and I knew always that you could not love her, and that you would find it out sometime, but I feared when it would be too late. Moreover, since you have confessed so much to me, I will be candid in return, and tell you what I have been wanting to tell you before, but was afraid lest you might consider me as meddling with your affairs, and that is, that she does love you; and if you should be so fortunate as to entertain hopes from her, they would not be disappointed."

"Thank you, Floralie, for the information, though it was not needed; for I never entertained any hope or any wishes either concerning her."

And I now began to feel gushing up in my bosom what had already been lurking there for a long time, but which unsuspicion and untoward circumstances had hitherto prevented from manifesting itself openly and

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tangibly. This a love—a deep, pure and ardent love for my beautiful cousin.

The reader has probably divined that such was the true state of my heart ere this. I had more than once had an indistinct idea of such a thing, but until now there had always been some obstruction of one kind or other in the way to prevent it assuming its true character in my breast.

As I walked along by her side this evening, and talked with her, it broke out in all completeness. I can hardly express the suddenness of the attack, nor how it came on. I gazed at her graceful and voluptuous walk; I feasted on the warm, red beauty of her delicate-textured cheeks and lips; her silken hair spangled its golden rays in my eyes; her whole being, which I had always admired as beautiful, and loved with a fraternal affection, as the purest and holiest thing on earth, now affected me with a new and unwonted sentiment—it was love. As Falstaff knew the heir apparent, so was it apparent to me, by instinct. It was not a creation of boyish imagination like that I felt for Bessie Raymond; it was not an intellectual ecstasy as I had felt for Laurine Iveson—I loved her, and I felt that I never had loved before.

"You say, Floralie, that Laurine Iveson loves me?"

"I know she does; she as good as told me so."

"And you think I love her?"

"I have always suspected you would—might, that is—ever since you came back from college, but, as you now deny it, I don't know what to think about it."

"You'll believe me, of course. And I will tell you more, I love another."

"Another?" exclaimed Floralie, looking up at me with her lustrous large eyes in manifest surprise. The dear damsel never for an instant suspected that it was her I loved.

"Yes; I love another. One to whom I have never dared to breathe or hint a syllable of my affection. One who is as superior in all that makes a woman lovely, whether mentally or physically, to Laurine Iveson or any body else, as can well be imagined."

"Who can it be?"

"Can't you divine?"

"Woman's wit was never more at fault. I have never suspected any body else in this country as being likely to excite a flame in your breast."

"There is one, Floralie, one whose merit I have long known and felt; one whom I have loved unconsciously to myself."

"Will you make me your confidant?" she asked, innocently.

"I will, dear Flora: it is *yourself*," I replied, choking in the utterance of that last word, and much confused.

My tone was such that my cousin could not for an instant doubt my meaning.

Her first expression was one of extreme surprise; she looked at me for an instant with her deep eyes, and then the red blood crimsoned o'er her face, and then fled as instantly, leaving her face as pale as a lily. She withdrew her arm from mine, and faltered out—

"Ernie! you have taken me unawares. But it cannot be, never breathe such words to me again. I—I can never be yours. I cannot, may not, that is, I mean, I ought not to encourage your avowal. Oh! me"—

I thought the dear creature was going to burst into tears. What the

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mischief is the matter? thought I. All her reserve, and even with added colddess, seemed to return. "My dearest cousin, is my love so repugnant to you? Is it impossible that you can love me in return?

"I do love you—I love you well—you know it. I have always loved you, as a brother."

"Is that any reason why you should not accept me as a lover? that I should not ask you to love me more than a brother?—

> ——Forty thousand brothers
> Could not, with all their quality of love,
> Make up my sum"——

"It cannot be, Ernie, I may not love you."

"*May* not! Unravel me this riddle. What is wrong about me, am I not honest, am I not honorable, rich, and regarded well?"

"All this, and more than I will tell. But there are obstacles. You have disordered me with your sudden and unlooked-for love. I know not what to say. There is none I love more than you—none I love so well. But still, I can't listen to you. Forget me; forget that you ever dreamed so wild and strange a scheme. Of all your day-dreams this is the strangest."

"Strange! you confound me. Won't you explain? Obstacles, what are they?"

By this time we had reached the door of Puckshenubbie, and our converse had to cease.

PART IV.—MY GRANDFATHER'S WILL.

I.

I WAS sitting one morning in my room, poring over the pages of Plato. I was aroused from my philosophical abstraction by a knock at the door, followed by the entrance of a stranger into my room.

It was a stout-built, middle-aged man, with a round, short, bull-dog sort of face, dark complexion, heavy black eye-brows overshadowing a pair of deep-set, twinkling brown eyes, and a black, intensely thick beard, of about three days' growth, covering his whole face below his forehead, except his nose, and a small spot under each eye. This personage was garbed in a brown holland sack coat, and, as to his nether parts, a pair of wide nankeen trowsers: he had no vest, or cravat; and the collar of a plain cotton shirt was fastened by a large old-fashioned gold button. His head was lost to view in a wide-brimmed, high-crowned, Leghorn hat, with a broad black ribbon.

"Mr. Kerne?" asked he, as he entered with a curt bow, in a deep rumbling voice, that rolled out like the buzzing of a bumble-bee in the bung hole of a beer barrel, ; at the same time, popping himself down on a chair, ere I could invite him, and squirting out a stream of tobacco juice on the carpet.

"Kerne is my name, sir."

The stranger nodded his head with much brevity, and condescended to relieve himself of his capacious sombrero, which he deposited by the side of his chair, thereby manifesting a shock head of hair, which, for shortness,

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blackness, and rigidity, was the counterpart of his beard. After indulging himself with a minute and scrutinizing investigation of my person, and the furniture of my room, he growled forth,—

"Kerne—yes, Kerne, *umph*, *hum*.* *My* name is Tolliput Birdclaw—"

"Is what?" cried I, nearly laughing in his face.

"Tolliput Birdclaw,—T. Birdclaw, of the firm of Birdclaw & Kerne, attorneys and counsellors, Clarksville, Tennessee. It is Mr. Ernie Kerne I speak to, I believe—Ernie Overton Kerne?"

"Yes, sir, Ernie Overton Kerne, at your service. May I ask your business?" I asked, much amused at his dry originality.

"Business? Oh! yes—certainly, *umph*, *hum*," said he, in a thoughtful abstracted manner, apparently paying no attention to me in the world, and drawing out a greasy leathern wallet, of plethoric proportions, and choked with papers.

"Son of William Kerne, deceased, and Mary Herbertine Overton, his wife, I think?" observed he inquiringly, though without looking up, as he untied the red tape which secured his fat-stuffed pocket-book.

Making no answer to this interrogatory, a pause ensued, during which Mr. Tollipot Birdclaw occupied himself with multitudinous paper and documents. I, at length, asked discursively,

"May I inquire if your partner's name is Jolier Kerne?"

"You are right, *umph*, *hum*; Vindex Jolier Kerne, V. J. Kerne—commonly writes his name V. Jolier Kerne; don't like such new-fangled nonsense myself, always sign *my* name T. Birdclaw, simply. J. V. Kerne is a cousin of yours, Mr. Kerne, I believe?" as he at length looked up, with a formidable document clutched in his fist.

"Yes, I believe he is a relation," said I drily, for there had been a quarrel between this J. V. Kerne's father, who was my half-uncle Oliver, and my father, in early times, about what I knew not; but, as it had never been made up, the feud, as in duty bound, had descended to his children; and, though I had never seen my cousin, and scarcely heard of him, my animosity was considerable towards him. Jolier Kerne, I had heard spoken of as a shrewd, money-making, thriving young man, the junior partner of the eccentric individual before me, his son-in-law, and heir to his estates.

"Yes, yes, I know," rejoined Birdclaw, "he was a son of O. P. H. Kerne, Oliver Philips Henderson, let me see, *umph*, *hum*, it was Henderson—half-brother of your father, by your grandfather's first wife, I think, yes, Oliver was by his first wife—she was a Barclay, Caroline Beaufort Barclay. I remember him well, *umph*, *hum*."

I began to be somewhat bored, and said shortly,

"But, my dear sir, you have not told me to what I am indebted for the honor of this visit?"

After a moment's pause, with his eyes upon the floor, to let a sonorous *umph*, *hum*, drone through his nose, he proceeded in his dry impassible way,

"Well, Mr. Kerne, the fact is, I wanted to see you on a little business; a small matter; a little suit I am unfortunately compelled to institute against you."

"A suit against me?"

* These letters are a dim conjectural representation of an unspellable guttural, which is in common use in the South, signifying—"yes." R. L.

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"A small action of ejectment, in the case of Kerne v. Kerne *et al.* My partner, J. V. Kerne, being the plaintiff in the case, yourself and others defendants—that is, I believe you have brother and sister?"

"The devil!—what sort of an action is this you are talking about?"

"Kerne against Kerne and others; it is a very pretty case. But to explain matters a little. Did not your grandfather marry twice?"

"You have just said so," said I, impatiently.

"Yes, yes, so I did; married Caroline Barclay. Well, the facts in this case, Mr. Kerne, which I called out this morning to give you legal notice of, are, without entering into minutiæ which will appear on trial, that my client and partner Jolier Kerne, claims all the landed and other estates now held adversely by the heirs of William Kerne, under colorable title by virtue of a will lately discovered, and duly attested and recorded, devising and bequeathing all his right, title, property and claim whatsoever in a certain capital messuage of Reedyrill, with all and singular the lands, tenements, and hereditaments, rents, issues, and profits thereof in the premises whatsoever. Moreover, all other property, real and personal, in Virginia, Kentucky, and Louisiana, bequeathed and devised to Oliver Kerne, and his heirs and assigns, and revoking in toto all former wills, of record or otherwise, rendering them null and void."

"But, my dear sir, the will of my grandfather, under which I hold, is duly recorded; and this affair you talk of, dern it, I never heard of before. What have you and your client been doing for the last fifteen years, that you have not made known your claims before?"

"Umph—hum—I will explain. You see the will under which we claim was made *in articulo mortis* at the Harrodsburg Springs, where your grandfather died, revoking the prior will, under which you hold, and, as I said before, giving all his property to Oliver Kerne, with the exception of one or two slaves, and that portion of the property inherited by your aunt Eliza Kerne. This will was dispatched by due course of mail to the county of Christien to be recorded; but on its way, the mail was robbed, the will abducted, and never heard of since until recently, when fortune placed it in our hands."

"If I understand you aright, then, the will under which you claim was not recorded before it was lost?"

"Why, no, that is"—

"Of course, then, it is nugatory, and will not hold against our will, which is duly of record."

"Umph—hum—Duly of record, it is true; ours is *now* also duly on record; as soon as it came into our possession, we attended to that. But yours would, of course, hold against it on that score, being recorded before us; but then, we wish to show that your will is a fraudulent one, or, at least an erroneous one; that one of the witnesses' names was in the first place accidentally omitted, so as to be deficient in the number required by law, and that afterwards this deficiency was supplied by the *forgery* of the name of another witness."

"Was what?—you infernal old villain," cried I jumping up, and catching hold of a chair to knock him down.

"Be easy, my dear sir, be easy; all in due course of law—no offence meant whatever; indeed, we do not accuse your father of having any knowledge of it whatever, and, in fact, we know he never did. Old Andrew Thompson, the clerk, was a bitter enemy of your uncle

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Oliver, and a warm friend of your father, and he himself made this forgery when the will of your grandfather was deposited in his office for recording.

"This all sounds devilish strange and improbable to me," said I.

"Not more strange than true," responded the old lawyer, replacing his sombrero on his head, and peering out from under it at me, complacently, with his round, twinkling, rat-like eyes.

You may imagine how much I was surprised and confounded at this unwelcome intelligence, and I sat in silence, unable to say a word, while Birdclaw, like a harpy, sat glowering at me in intense enjoyment of my discomfiture.

"It will take about two thirds of all I am worth," said I stoically, taking a chew of tobacco, and thrusting my hands into my breeches pockets, with an abortive attempt to whistle, with a show of indifference.

"Indeed! you know there will also follow a small action of assumpsit for *mesne profits*—for the twelve or fifteen years you have held possession," said Birdclaw, with a ferocious grin.

"Good God!" cried I, in utter despair, "then I am a ruined man."

"I hope not, young gentleman."

"Look, ye old fellow," cried I, gritting my teeth, "it is about time for you to be going, or I shall give you grounds for an action of assault and battery. But, stay, you had better see my guardian, who, I suppose, will have to act as my prochein auri in this matter."

"Guardian!" exclaimed the owner of the sombrero, elevating his shaggy eyebrows, and staring at me until his little eyes nearly popped out of his head, "I thought you were twenty-one; the devil Jolier told me you were of age."

"I was twenty, last month."

"Ah! indeed. Twenty, eh? *umph, hum.* Well, yes, well, guardian all the same. Who *is* your guardian?"

"Colonel Overton."

"Ho! S. Overton of Puckshenubbie, wh—o—w—i—tt! You've an excellent guardian, young man."

The first interjectional part of this response was said in a contr'alto key, with a tone of surprise and vexation, degenerating into a sotto voce whistle, apparently involuntary, and broken off short by the last remark, which was in his usual rumbling solemn basso.

"Well, Mr. Kerne, I will see your guardian—suppose he's at home?"

"No, Sir; he's in Columbia, Tennessee, but will be at home to-morrow morning."

"Very well, Sir—good morning." And the old scamp hustled out of the room as unceremoniously as he entered it.

II.

As soon as the Colonel returned from Columbia, I got on my horse, and rode over to Puckshenubbie, to consult with him in regard to the information I had received from Birdclaw. I found him in his room, shaving,

"Well, Ernie, my boy, good morning to you—why, what the devil! you seem to be somewhat down at the mouth," said he gayly, "what is

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the matter now? Has Miss Laurine been coquetting with Ike Montmery, or one of your negroes run away, or some of your tobacco houses burned, or what? You look like a boy that had lost his humming-top, or a girl that had lost her lover. I am rather in an ill humor myself, this morning; I lost a hundred dollars, last night, on a game of Poker with Col. Boyd; and this morning, that old rascal, Birdclaw, of Clarksville, called here. Do you know that fellow? T. Birdclaw, of the firm of Birdclaw and Kerne, attorneys and swindlers, ha! ha! ha!" laughed he, as he imitated his rough rumbling voice.

"It is about that that I wanted to see you. Were you not astounded?"

"Astounded! astounded at what? At his visit? No, I suppose he wanted to dun me for twenty-three dollars and odd cents, costs in a suit of Overton *v.* Higgins, for trespass, which I lost by his infernal cunning."

"Why did he not tell you?

"Tell me? no! I told the servant to tell him that I had gone to New-Orleans, and would not be back till spring, but had left the money, which I gave the boy, for him. For I would rather have died than to have been obliged to listen to his *umph hums* and *ho hums* for half-an-hour. Come, be quick, did you say it was about him that you wanted to see me? —I am just going over to the race course; a great jockey club purse, four mile heat, comes off to-day. I have entered Ajax against the field. Get your hat, and come on. I am going on horseback; Madame, and Eliza, and Florie, will be on after a while in the carriage. You can tell me what old Birdclaw wants, as we go along."

"I am afraid I can't go, colonel, it is a matter which requires my attention. I am sorry you did not see Birdclaw: he came on business of importance. He came to inform me that I am a beggar, that's all—that I have not a stiver in the world—that I have no more right to the estates and slaves of Reedyrill than you have."

"The devil!"

I related to him everything that the attorney had told me.

"Pooh! nonsense," exclaimed he in a passion, "it's all a lie, a forgery; the deuce, old Thompson was as correct a man as any in Olivestien county. It's all a trumped up affair of these two precious scamps to get you into a chancery suit, or to frighten you off from one by a compromise—by thunder, they ought to be prosecuted as common barretors—old Birdclaw especially. Curse him, I'll horsewhip him the first chance I get. A pretty story, truly! Why, your grandfather hated your precious uncle Oliver as he did Lucifer himself. If there is such a will as he speaks of—which I can hardly bring myself to believe—you may depend upon it, it was forged by this fellow, Birdclaw, and his coadjutor, Barry Vincent, both of whom were with your grandfather when he died."

"Who is Vincent; I never heard of him before?"

"Never heard of him! Surely you have. He was your grandfather's family physician; an Englishman by birth, a man of profound skill in his profession, but equally as profound a rascal. He seduced Tom Walton's cousin a year or two after your grandfather died, and having got wind that Tom was hunting for him to put a rifle-ball into him, he suddenly disappeared from the country, and never has been heard of since. But as for old Mr. Kerne making a will in the gasp of death, leaving your father penniless and bequeathing all his property to your uncle Oliver, than

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whom, I am constrained to say, a greater scoundrel never went unhung--is too absurd to be believed for a moment."

"I know that there had always existed a feud between my father and his half brother, but I never learned the particulars; it is a family secret which was never divulged to me; if you are in possession of it, I wish you would make it known to me."

"Well, it is a long story, the whole of it, and so for so many years laid dormant in my memory, that I hardly know whether I could rake it all up, or not. However, I will give you a few brief outlines. In the first place, you must know, that your half uncle, Oliver Kerne, was as artful and dissimulating a hypocrite as he was a black-hearted scoundrel. He pretended to be a strict member of the church, and even made a show of austere piety. Omitting many minor circumstances by which I and your father discovered that such was his character, I will merely mention that your grandfather placed unbounded confidence in him. His early life had been spent abroad, and he had not been long at Reedyrill, and it was ere we found him out, before he paid his addresses to my oldest sister and married her. It was in this way that I had opportunities of discovering much about his character and habits that I would not otherwise. I found that he drank in secret, and that he was addicted to gambling to an excess that amounted almost to mania. How he could indulge two such vices and keep them concealed from all eyes, even those of his own family, would require consummate artifice and duplicity, but such had Oliver to a preeminent degree. He spent the winters in New Orleans, which was at that time a sink of iniquity, and made that city the centre of his vicious operations and indulgences. In his gambling, drinking, and riotous life, he had been accustomed to disguise himself under the name of Brown, under which cognomen he was recognized as one of the most accomplished and desperate swindlers and blacklegs that habituated the hells of New Orleans. Now what I hated in the rascal more than anything else was, that he would take occasion to lecture me on my propensity to bet and my fondness for the turf and the card-table.

One winter your uncle did not go south as usual. I was astonished one day when he came to my house and asked me to lend him five thousand dollars, saying, that he knew of a lot of negroes he wanted to buy on speculation. I thought that he was always well supplied with cash, not having then found out his double play, and told him so. He told me that he had had some drafts to meet at New Orleans, which had drained him of every cent of superfluous capital. I did not like Oliver much, anyhow, and did not feel very accommodating towards him, and, besides, it was inconvenient for me to spare that sum at the time, so I frankly told him so. I noticed that anxiety and disappointment were so visibly manifested on his countenance, that it attracted my attention. He told me that he could procure the money again so as to return it in twenty days, and that the bargain he was going to make would be lost in that time; and, he added in a sort of sneering tone, that if I doubted his solvency he would secure it to me by mortgage. I told him that I could not possibly let him have the money then, but if he would call again the next day I would give it to him if I could procure it in that time.

The next day I gave him the money, taking, as he insinuated at first, though I thought did not fall into so readily as he professed, a mortgage, which I have always preferred to bond and security, when I could get it,

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since it involved not an innocent third party in event of default in the dealer.

"Oliver took the money, and went away. You might, perhaps, be surprised at such rigorous exactitude in dealing with a kinsman and a brother-in-law, but I never liked Oliver. His assumed sanctimony disgusted me, and would equally, had it been real instead of the veil-concealing villainy. It is true I never su ted him of being such an arch dissembler as he proved himself to be, ut I never believed he had one iota of religion.

"I gave him the money about ten o'clock in the morning. That evening —it was court-day, and your grandfather, who was a magistrate and high-sheriff of the county, had been to town holding the county court. As he was returning home late at night, in passing the dark jungle this side of Bernard's Lane, he was shot at by some one in the bushes; the shot missed him entirely, and your grandfather spurring his horse into a gallop, a second shot struck his horse and brought him and his rider both to the ground. The assassin then rushed up and would have dispatched him with a long knife which he flourished over him, but at that moment General Overton rode up, and hearing outcries, flew to his assistance, and the ruffian, plunging his dagger into his victim's breast, hastily disappeared. The knife, which made a severe and dangerous wound, though happily not mortal, was retained by your grandfather, and great was his grief and surprise to find that it was one which he knew belonged to Oliver."

"Horrible!"

"Squire Kerne recognized it before he had made the circumstance known to any body but General Overton. But, nevertheless, next day Oliver Kerne started off for New-Orleans without telling anybody of his intention, and never returned to Kentucky. It then leaked out that he had gambled at Clarksville and Nashville, and even at Haysville, and sustained losses to the amount of twenty thousand dollars. He wrote a letter to his father acknowledging that he had made the assault upon him, but calling Heaven to witness that he had no idea who it was; that he had gambled away the money he borrowed from me, and, fearful of a discovery, knowing no other way of obtaining money—for he had also borrowed of his father until he dared not ask for more—that he had resorted to the highway, had found out that a man with a large sum for deposit in the bank at Nashville was to pass that night along the road on a sorrel horse with a blaze face; that, seeing the blaze face of the horse your grandfather was riding, by the dim star-light, he had concluded at once that it was the man he was in waiting for. I never believed myself, however, a word of that story—it seemed very improbable, and I think your grandfather thought so too. I always believed that he intended to kill your grandfather."

"What motive could he have for so awful a crime?"

"Well, you see his underhanded game was becoming so complicated, and his losses at the gaming table grew to such an enormous sum, that it was like a smouldering volcano under his feet, at some unexpected moment to blow up and destroy him. He knew that if his father ever discovered his duplicity and underhanded villainy, he would spurn him from him forever, and in all probability disinherit him. He, moreover, knew that your grandfather had not then made a will, and in the event of his dying intestate, the heirs would inherit equally. He had laid his plans well and deep. He had so arranged matters, that all the suspicion would fall on Mulatto Mat, to whom he had sold the knife publicly, and also a

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gold watch which he had purloined from his father, to be circumstantial evidence, (amongst other little schemes that he had contrived,) showing property, you see, of your grandfather's which everybody thought to be still in his possession, to be found in the possession of Mat, who already had a bad enough name to hang him. Moreover, the villain saw plainly enough, that in event of the death of his father intestate, his sporting creditors, knowing that he would fall heir to a large estate, would keep dark and not press their claims upon him."

"I can hardly think any one of the name of Kerne would be such a scoundrel."

"Oliver Kerne was mean enough to do anything."

"What became of that letter you spoke of his writing to my grandfather—it might be of some use to me?"

"It might possibly, that is true, but, unfortunately, your grandfather destroyed it without even showing it to any one except General Overton, who told me of it."

"Well, in face of such a chain of circumstances, I cannot conceive how old Birdclaw would attempt to pretend a will in favor of my uncle and his heirs."

"Oh, you may depend upon it he has hatched some artful plot; he's a cunning old fox as ever was—but I forget that I am in a devil of a hurry; however, I'll go now and see old Blount, and employ him for us; he's more than a match for Birdclaw any day. I'll bet any odds on him."

"If there is fraud and conspiracy brewing, old Blount is safe to detect it. He seems to scent out falsehood and chicanery by instinct. I'll go and see him right away and put him on the field. Meantime, however, the races—confound it—are to come off at half-past ten, and I fear I shall miss them."

"No, no," said I, for I knew he would rather miss his dinner, "go on to the races, and I will see Esquire Blount." No, sir, you take my purse, here, and get on your horse, and ride out to the race-course, and bet to the amount of two thousand dollars on Ajax. Give odds or take 'em, as you get a chance. I'll be in at the 'death' myself."

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DUELLING.*

SMALL as may be the number of truths which can be regarded as settled by the universal concurrence of mankind, beyond possibility of question or cavil, debating clubs are yet sometimes at a loss for suitable questions, of evenly-balanced semblance of right and wrong, on which to exercise their young powers of logic and eloquence. We beg leave to suggest to them one of which we can confidently affirm, that it never can be decided to the one side or the other—*Which is the greater in degree, after their respective kinds, the folly or the wickedness—the mental stupidity or the moral criminality—of the practice of duelling?*

What a curious anomaly! What a wonderful absurdity! What a strange contradiction to all the fundamental ideas of the civilization of those portions of the globe in which it prevails—so far, at least, as those ideas are to be found on the surface of all their systems of law, religion, philosophy or ethics! It is really one of the most remarkable illustrations that can be adduced, of the ineradicable tenacity of a habit once deeply planted into national character, in the infancy of a new civilization, however abhorrent it may really be to all the principles of that civilization as they become afterward developed and matured by the progress of centuries. We owe the institution of the duel—for it may be called an institution—to the barbarism of our Germanic origin, and it has continued ever since, in all the countries of Europe which have grown up out of the Germanic root. It has been in vain that that holy religion, which has given to all that portion of the globe the designation of *Christendom*, has denounced it as damnable and deadly in its sinfulness. It has been in vain that law, whether proceeding from despotic thrones or popular parliaments, has decreed against it the last and worst terrors of punishment which it can attach to the highest of crimes against nature and society, stamping it on almost every statute book as murder. It has been in vain that the universal reason of men has pronounced against it, in every other mode of expression but that of action, as a bad, bloody, and brutal barbarism. All in vain! There it has stood, undestroyed, unharmed,—a great pervading practical fact—a living and strong reality, smiling at the superficial and frothy impotence of these attempts to put it down, much as we may suppose a big black rock, in the midst of the waves, to smile in contempt upon all the yesty fury with which they have been for centuries lashing its base. Would that good institutions among men were as tenacious of their existence, against the surrounding pressure of bad influences, as *vice versa* we see it of the bad, thus vainly assailed by all the arrayed antagonism of right reason and religion.

Nations are educated through the course of generations and centuries, as the individual through his little allotted span of years. As "the child is father to the man," so are there impressed, deeply and indelibly, on the

* The History of Duelling: including Narratives of the most remarkable Personal Encounters that have taken place from the Earliest Period to the Present Time. By J. G. Millingen. M. D., F. R. S. Author of "Curiosities of Medical Experience," &c 2 vols. 8vo. London: Richard Bentley, New Burlington-street.

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latest maturity of the nation, the traits whose origin is to be sought far back in the earliest period of its barbaric youth. Endowed with all the rude energy and simple strength incident to that period of savage freshness of character and life, they not only mould to their own shape the entire system of habits of thought and sentiment, of the whole mass of the people, individually and collectively, but it would almost seem, that by some of the mysterious laws yet unexplained by science, of the connection between the moral and physical in our wonderful duality of nature, they so impress themselves upon even the physical man, upon his brain and nervous system, that they become a vital and essential part of his nature, transmitted down, link after link, through the chain of generations, like any of the outward characteristics of form or feature, which mark the various distinctions of race familiar to every eye. In no other way can we explain to our satisfaction the tenacity with which nations are seen to cling to particular traits, like the one which suggests the remark, in spite of such an immense accumulation of counteracting causes, of a moral nature, which *ought* long ago to have swept away every trace of their existence.

We are sprung from what may be termed peculiarly a fighting stock; and the pulpits of the Christianity we profess may preach peace as they please, the old leaven continues to work too strongly up from the bottom, to be overpowered by any precepts or principles of a moral nature, addressed to us from without; even though they may issue from an authority we bow to as divine, and though they may at the same time recommend themselves to our conscience and reason by demonstrative logic the most incontestable. All Christianity and all philosophy to the contrary notwithstanding, we have an instinctive and inextinguishable sympathy with the spirit of the strife. We love the bravery of the battle more than the highest heroism of purely moral fortitude. No glory, in the estimation of the great mass of the people, can compare with that of splendid military achievement. There is no baseness we despise with a disgust equal to that inspired in us by personal cowardice. Any danger must be dared—any deed, whether of guilt or folly, must be done—rather than be subject to the possibility of such a suspicion. When men fight duels—combining in one act the double wickedness and folly of attempted murder and hazarded suicide—had we ten times as much law, religion and morals against it, there is a universal public opinion, or public sentiment rather, which palliates and pardons even when it does not wholly justify. There is no class, no age, profession or sex, free from the influence of this tendency. And not only are many respectable opinions to be heard openly avowed, in *all* parts of the country, in favor of the usefulness and necessity of the duel in certain cases; but over the greater part of its extent, though not the whole, the force of the general opinion and practice in its favor is so strong, that it can only be resisted by a moral heroism of principle to which few indeed are equal.

But it is time to pass from these speculations to the book referred to at the beginning of this article, the subject of which has suggested them. These volumes abound with a mass of information, curious and entertaining, though at times revolting and sickening in the perusal. Tracing the practice of duelling to its first rude original, it is exhibited through all the succeeding stages of its history,—its combination with the ordeal; the ferocity and treachery which often mark its primitive character; its modification by the institution of chivalry; and the subsequent phase it

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assumed in connection with the "point of honor." The first volume is the one of the chief interest, giving an account of its history in France, (its special classic ground,) and the different countries of the continent, with notices of a vast number of the most remarkable instances of it in the different ages and reigns through which the narrative is carried along. The second volume relates chiefly to duelling in Great Britain, with a copious enumeration of many of the principal modern duels which have taken place in various countries—the United States not omitted.

It was out of the depths of their swarming forests that the Germanic tribes which inundated all the rest of Europe, carried with them a practice that had grown out of the fierce military spirit—combined with a high pride of personal independence—which was their chief characteristic. Among a nation of warriors, who never assembled but in arms, a fight was the simplest and most natural mode of settling any difference, especially in the absence of any system of civil institutions, adequate to the dispensation of justice. It was in direct analogy with that custom of war between nation and nation, for the settlement of public quarrels, which was their chief and favorite occupation; and as, in the one case, the state of hostility involved all the members of the respective communities or bodies politic; so, in the other, the private war between two individuals usually embraced the whole circle of kindred and dependents of both parties, in feuds which often became perpetuated through many generations. When Christianity attacked this new society of military barbarism—which thus flooded over all Europe, to conquer it to her own milder moral dominion—she was forced, naturally as well as necessarily, to a certain extent, to harmonize with and assimilate herself to it. Had she spoken to it only in the sweet and gentle tones which fell from the lips of the Prince of Peace himself when on earth, she might as well have addressed herself to the wolves and bears haunting the same forests which poured forth these same savage hordes it was to be her mission to civilize. She, therefore, was fain to accompany the wild warrior whose soul she was to save, into the midst of the scenes of carnage from which she might not hope nor attempt to withhold him—ill as the battle-stains of blood and dust with which her white robe became there polluted, befitted the meek loveliness of aspect properly belonging to her heavenly birth. If she could not then —as she is yet destined to do!—if she could not then wrest the sword from his hand, to beat it into a ploughshare, she could at least hilt it with the Cross. If she could not renew the miracle of the great Author of the Gospel, and say to the fierce waves of human passions amidst which she had to walk, "Peace, be still!"—she could at least in a degree mitigate, and sometimes even guide their rage. She could rear sanctuaries, and afford shelter within the shadow of her altar, to those for whom no other mercy remained on earth. She could give the world at least periodical intervals of repose, by enacting a "*Truce of God*," from Wednesday evening to Monday morning of each week, though she had to bless the very arms which through the rest of the time were to be given to an eager industry of carnage and rapine. And by leading off all the most restless military energies of the age to spend themselves upon the barbarian soil of foreign continents, in crusades for the recovery of the Holy Sepulchre, she could at the same time leave at least a partial tranquillity at home, and elevate and sanctify, by a high spirituality of motive, the passions and the efforts which were else unqualifiedly bad, base, and

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brutal. And that same Christianity, acting on the same principle and tendency, took up the practice of private combat; and, since she could not prevent it, she strove to moderate it. In the absence of other and better machinery of justice for the government of society and the protection of right against oppression, she invoked the interference of Heaven to bless even this, rude and imperfect as it was, to that end; and, taking a hint, partly from the Levitical law of the *ordeal*, and partly from the consciousness present to every heart and arm of increased courage and strength lent to both by a righteous cause, she thus converted the duel into the judicial combat.

And there can be no doubt but that, absurd as we justly regard it as a mode of ascertaining and executing the justice of all controversies, the judicial combat was a greal deal better than nothing—a great deal better than what would probably have been the state of things without it. An infirm person was not always bound to fight in person. A champion could be substituted—and champions were more easily to be found in those days than probably in the present. And when we consider the moral influence of the clear and the foul conscience, with the imposing effect, in an age so superstitious, of all the solemnities usually added by the Church to these occasions—calculated to sustain the true heart with a spiritual strength which might well be mistaken for supernatural, and to unnerve the false one with a corresponding terror and trembling—we must do our rude and simple old ancestors at least the justice of confessing, that there was a great deal more of sense and reason in their judicial combat which we so much abuse, than in our duel, which, in practice, we so universally sustain. As in most of Sir Walter Scott's pictures of apparent fiction, yet designed to convey the more vivid illustration of a valuable historical truth, the scene of the great warrior who went down, in the lists, with his guilty cause, before the feeble touch of a lance which at another time he would have felt only as the shock of a reed or a rush, was intended to illustrate the meaning of the institution thus exhibited; and to represent a most unfrequent occurrence, in those days, of whose spirit he was himself the last representative and the last minstrel.

The institution of chivalry brought a fresh modification to the duel, and stamped upon it the character of which it retains deep traces to the present day. It created the "point of honor." If fighting had before been necessary, to defend the head with the hand, it now became fashionable. While the mock fights of tilts and tournaments beguiled the intervals of repose, it was equally a duty and a delight to seek or to make all the opportunities possible for indulging in earnest in this the chief honor and business of life. And while glory for ever stimulated the knight to fresh feats of prowess, love was ever ready to reward them, with the brightest smiles and tenderest delights that beauty could bestow on bravery. It has been well said that man is called "a reasoning animal," because he has never any difficulty in finding a *reason* for the indulgence of his inclination. When everybody, therefore, was perfectly willing to fight everybody else, with or without cause—and on the whole, probably, would rather do so than not—nothing was more easy or natural than the gradual establishment of a punctilious "code of honor," which should furnish "reasons as plenty as blackberries." For example, it was early established as a maxim of this "common law" of honor, as it was laid down by Francis I., and as it prevails to this day, that "*the lie was never to be put up with, without*

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satisfaction, but by a base-born fellow!"—and for fear of possible mistake, we are told that lies were divided into not less than thirty-two categories, with their corresponding degrees of satisfaction.

The following rules of the chivalric duel, by Brantome, curiously illustrate the spirit of the age in several particulars. In the treatment which they justified towards the conquered knight, and the very amiable indulgence to all offences of a too yielding tenderness on the part of the lady, they afford a just glimpse into the real ferocity and licentiousness of that boasted age of chivalry, upon which so much mawkish nonsense of regret has been wasted in our infinitely better modern days:

"On no account whatever let an infidel be brought out as a second or witness: it is not proper that an unbeliever should witness the shedding of Christian blood, which would delight him; and it is moreover abominable that such a wretch should be allowed such an honorable pastime.

"The combatants must be carefully examined and felt, to ascertain that they have no particular drugs, witchcraft, or charms about them. It is allowed to wear on such occasions some relics of Our Lady of Loretto, and other holy objects; yet it is not clearly decided what is to be done when both parties have not these relics, as no advantage should be allowed to one combatant more than to another.

"It is idle to dwell upon courtesies: the man who steps into the field must have made up his mind to conquer or die, but, above all things, never to surrender; for the conqueror may treat the vanquished as he thinks proper—drag him round the ground, hang him, burn him, keep him a prisoner, in short, do with him whatever he pleases. The Danes and Lombards in this imitated Achilles, who, after his combat with Hector, dragged him three times round the walls at the tail of his triumphant car.

"Every gallant knight must maintain the honor of the ladies, whether they may have forfeited it or not—if it can be said that a *gentille dame* can have forfeited her honor by kindness to her servant and her lover. A soldier may fight his captain, provided he has been two years upon actual service, and he quits his company.

"If a father accuses a son of any crime that may tend to dishonor him, the son may demand satisfaction of his father; since he has done him more injury by dishonoring him than he had bestowed advantage by giving him life."

But it was not formerly deemed inconsistent with honor to seek any advantage which could be secured in the desperate game of blood; and the offended or the challenged party who was entitled to the choice of weapons and mode of fighting, often used his privilege so as to constitute it little better than a butchery of his helpless antagonist. For example, Dr. Millengen relates the case of an ingenious mode of fighting which was adopted by a young soldier, of a diminutive stature, who had been insulted by a tall, sturdy Gascon; he insisted that they should both wear a steel collar round their neck, bristled with pointed blades as sharp as razors; and wearing no armor, their bodies and limbs were exposed to the swords of each other. By this invention the little man could look up at his antagonist without any danger, while the tall fellow could not look down at his adversary, without cutting his chin with the aceroted points of his collar; in consequence of which he was soon run through the body. A curious instance is also related of a knight who, having been taught, as a peculiar trick of fence, invariably to strike the region of the heart, insisted upon fighting in a suit of armor with an opening in each cuirass of the breadth of the hand over the heart; the result of which, of course, was immediately fatal to his antagonist.

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Nor were these valiant knights, as our author remarks, very particular as to odds. He relates the instance of two French gentlemen, La Villatte and the Baron de Salligny, who fought a duel with two Gascons of the names of Malecolom and Esparezat; when Malecolom having speedily killed his opponent Salligny, and perceiving that his companion Esparezat was a long time despatching Villatte, went to his assistance; and when Villatte, thus unfairly pressed by two antagonists, remonstrated against the treachery, Malecolom very coolly replied, "I have killed my adversary, and, if you kill yours, there may be a chance that you may also kill me; therefore here goes!"

But we have some better stories in our own times of the advantageous use made of the privileges of choice accorded by the law of the duel to the challenged party, and we suggest them to Dr. Millengen to enrich a future edition of his work.

The following is generally fathered upon "Old Put,"—with what degree of authenticity we will not undertake to say. It may fairly be allowed to pass for his, and will do no discredit to his memory. Being once challenged by an English officer, during the French war, he insisted on this mode of either insuring a common fate to both, or subjecting their courage to a pretty severe test; both were to take their seats on a keg of gunpowder, with a lighted match inserted in it, of which they were to watch the gradual consumption. Both bore bravely for a time the sight of the shortening match. Down went the fatal spot of fire, lower and lower, and nearer and nearer to the point of junction with the dark mine beneath them, which was to blow them into eternity, till at last flesh and blood could stand it no longer, and the officer sprang to his feet, and ran almost as fast as though under the impulse of the explosion. "Stop, stop!" was the cool exclamation of the other, who dauntlessly retained his place,—"you need not run so fast—it's only *onion-seed!*"

A few years ago the captain of a Yankee whaler, stopping at one of the West India islands, had a quarrel forced upon him by a rude bully, who happened also to be an officer in a British regiment stationed at the island. Accepting the challenge, he was on the ground at the appointed hour, provided with two harpoons of equal length, which he insisted upon as the weapon he had a right to choose for the fight, and the only one he knew how to wield. Forced to assent, the officer had to station himself opposite his now formidable antagonist, who stood poising the long spear of his weapon in his right hand, while his left held the coil of rope attached to it. Though greatly troubled, yet shame and desperation for awhile kept up his show of courage; till the whaler cast his coil of rope into the hands of his second, (the mate of his ship), exclaiming in a gruff but cool voice, as though very much a matter of course, "Stand by, to haul the critter in!"—"Ay, ay, sir!"—the ready response; but before it was well uttered, the "critter" was far beyond the reach of harpoon or tackle, and history does not record that he ever again troubled a Yankee whaler.

But the most sensible use made of privilege which we have ever heard, was a few years ago by a gentleman, a member of the New-York legislature, distinguished as well for his wit and humor as for his talents and sound democracy. Receiving a challenge, he expressed his readiness to accept it, with the privilege of the choice of ground and weapons, which, after considerable correspondence and diplomacy, conducted with great gravity on his part, were conceded by his impatient adversary. These

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preliminaries at length adjusted, he fixed the place of encounter on the opposite banks of a certain stream in his county, (St. Lawrence,) the weapons being *broadswords!* Anxious to accommodate the opposite party, he expressed himself, at the same time, willing to use pistols, in the following manner—the two principals to stand back to back on the top of a certain sharp conical hill indicated by him, to walk each forward in a straight line down the opposite descent to the bottom, and then, at the word, to turn and *fire!* We would recommend either of these plans to fighting as admirable models for imitation on all similar occasions.

The notorious Lola Montez attempted, on a recent occasion, to revive the duel in a mode more congenial to her sex. For some offence she challenged an editor, not to fight with swords, but to *eat pills* from a box containing two—one being poisoned. The offer was not accepted.

France, in our author's own words, was the classic ground of the duel. The number of gentlemen that perished in that country during the reign o Henri IV., from 1589 to 1607, is estimated at not less than four thousand Though that monarch issued repeated decrees of great severity against it yet not only was the general spirit of the time too strongly set in its favor to be arrested by such means, but even he himself so far participated in it that he was not only ready to pardon every offence against his own edicts, (he pardoned not less than 14,000 duellists,) but we find him on one occasion, when sympathizing with a friend who complained of having been insulted, assuring him that if he could lay aside his quality of sovereign, and obey the promptings of friendship alone, "you should find me most ready to draw my sword, and most cheerfully to expose my life." The custom had at that time become general, which arose during the reign of Henri III., borrowed from the Italians, that the seconds engaged together at the same time with their principals. In the succeeding reign, that of Louis XIII., the Marquis de Beuvron, having been challenged by Francois de Montmorency, better known under the name of Boutteville, one of the most renowned duellists of the day, proposed a duel without seconds. To which Boutteville replied, "that he would have no objection to this arrangement, had not two of his friends expressed a wish to join the party; and that he should have to give *them satisfaction* if they were disappointed." The result was, that the duel was fought on the Place Royale, one of the most public places in Paris, at three in the afternoon, one of the seconds being killed, and another put *hors de combat*—the principals, having got each his dagger at the other's throat, mutually asked for quarter, and wound up by quietly going to lunch together at a barber's shop. But this was in the days when Richelieu liked nothing better than a fair excuse for cutting off the head of a high nobleman; and the great name of Montmorency was rather a recommendation for the scaffold than a shield; so that, being arrested, Boutteville was condemned to death, and executed with great military pomp on the Place de Greve. He was as anxious, we are told, to preserve his mustachoes as Sir Thomas More was to put his beard out of the way of the executioner's axe; and when the Bishop of Nantes, who attended his last moments, observed, "Oh, my son, you must no longer dwell on worldly matters! Do you still think of life?" "I only think of my mustachoes!—the very finest in France!" replied the penitent.

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POLITICAL PORTRAITS WITH PEN AND PENCIL.

HON. WM. H. POLK, OF TENNESSEE.

The subject of this narrative, the Hon. Wm. H. Polk, brother to the lamented James K. Polk, late President of the United States, was born in Maury County, Tennessee, on the 24th May, 1815. His father, Samuel Polk, was one of the first settlers of the state, having emigrated thither in 1806, and resided there until his death. Wm. H. Polk received a careful education, first in his native place, where he was prepared for college, and subsequently at the College of Chapel Hill, North Carolina, and the National University at Nashville, Tennessee. In both institutions he distinguished himself by rapid progress, and great popularity among his fellow students—a popularity which was apt to bring him in collision with the officers of the college, but which was a correct index to the influence and power he was destined to wield over the minds and hearts of his fellow-men. He studied law under General Pillow, was admitted at the bar in 1839, and entered at once on a lucrative practice. His high chivalrous character, the frankness and sincerity of his nature, and his eminent social qualities, united with great tact, and a thorough knowledge of men as well as things, soon made him an universal favorite. He was elected to the legislature of his state in 1841 by a large vote, and returned by an increased majority in 1843, when he received the complimentary vote of his party for speaker. The whigs holding power at that time, elected, of course, officers from their own ranks. In the year following, he was nominated by the Democratic State Convention of Tennessee an elector for President; but when the choice of the Baltimore Convention fell on his brother, James K. Polk, he declined that honor from motives of delicacy. It is the custom in the State of Tennessee for each elector for President to canvass his district; make speeches for the candidate for President, defend him from the assaults of his opponents, and place his prominent qualities in a proper light before the people. The most popular men, and the best speakers, as well as men of great personal influence, are usually selected for that purpose. Mr. Polk was ready to do battle for any good democrat that should receive the nomination from the Baltimore Convention; but as a man of true spirit, he would not become instrumental in the election of a member of his own family. The whigs nominated for that purpose Nelis S. Brown, one of their best speakers; and the fact that the democrats pitted Mr. Polk against him, is sufficient evidence of the high estimation in which they held his powers as an orator, and his faculty of controlling men. After the declination of Mr. Polk, Mr. Thomas, late member of Congress, was nominated in his place.

Before the expiration of Mr. Tyler's term of office, Mr. Polk was nominated *charge d'affaires* to Naples—the most delightful position on the whole continent of Europe. Mr. Polk remained there two years, and by his

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straight-forward, manly course, succeeded in making a commercial treaty with the government of the Two Sicilies, which had baffled the skill and tact of all his predecessors from the commencement of our diplomatic relations with that country. The terms of the treaty are the same as those obtained by England, which power had taken extraordinary pains to secure the same advantages; accompanied, at one time, even by a threat of a rupture, and a cessation of diplomatic intercourse. Mr. Polk's treaty was, of course, unanimously ratified by the Senate of the United States.

As soon as the news of the commencement of the war with Mexico reached Europe, Mr. Polk signified his readiness to serve his country as a soldier, should peace not immediately follow the early success of our arms. His offer was at first disregarded: but when the war, contrary to general expectation, continued, Mr. Polk asked leave of absence from Naples, which he could not quit without permission from the State Department. On his return to the United States, he found that certain leading opposition presses had charged President Polk with indifference as regards the victims of the war, because "no relation of *his* was among the killed and wounded—as there was no blood of Polk in the American army." Mr. Polk felt indignant at the meanness of the charge, and immediately repaired to Mr. Secretary Mason to ask him to intercede with the President for a commission in the army. He was willing to serve as lieutenant; though his high position as the diplomatic representative of his country at a foreign court, would seem to have entitled him to a much higher grade. The following is a copy of Mr. Polk's resignation of his foreign appointment, taken from the files of the State Department:

WASHINGTON CITY, *August* 31*st*, 1847.

TO THE HON. JAMES BUCHANAN, *Secretary of State:*

SIR:—I have the honor to request that I may be recalled, and that my mission as *charge d'affaires* of the United States near H. M. the King of the two kingdoms of the Two Sicilies may cease from this date. I am prompted to make this request by the strong desire I feel to participate in the war in which my country is engaged with Mexico. This desire I expressed when I first heard that the war existed; but I could not abandon my post, and return to my country without the permission of my government. When I asked and obtained leave of absence for a short time, to visit the United States, under the belief that the war would be of short duration, it was my intention to return to Naples in the steamer of the 1st proximo. I find that the prospect of a speedy termination of the war is not likely to be realized, and I therefore ask to be relieved of my mission, with the intention of participating in it. I have the honor to be, &c.,

(Signed,) WILLIAM H. POLK.

Mr. Polk entered the army as a Major of Dragoons, on the 1st of September, 1847, and immediately left for Mexico to participate in the war. We will not speak of his achievements in the field, as his biographers; we prefer to let the official report of Gen. Lane, in whose division he served, speak for him; and content ourselves with the following extracts from the report of that officer, dated,

"CITY OF MEXICO, *February* 10, 1848.

"Immediately after entering Orizaba, I appointed Col. Hays commander of the forces, and Major Polk civil and military Governor, with directions to the latter to make inquiry forthwith into the matter of the robberies which had been committed; whether the guerillas had been countenanced by the municipal authorities, or

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had been allowed to harbor in the city; whether the goods taken had been sold there; what disposition had been made of the proceeds, if sold, and to execute justice in the premises. At the same time, I reiterated my assurances of protection to individual and church property, and caused to be made known the provisions of the general orders issued at Tampico in February last, declaring martial law. After one week's occupation of that city, I left on the morning of the 31st for Puebla, with the Texan Rangers, and was joined that evening at Acalcingo by Major Polk with his command, continuing an unmolested march across the mountains. I next day reached San Augustin de Palmas; the day following I reached Acalcingo, where Major Polk received information that a number of mules and horses captured from American trains, were at a hacienda two leagues distant. I readily acceded to the request of the Major to be allowed two companies of dragoons to recapture them; and after a fatiguing night-march he returned, bringing with him twenty-six mules and one American horse, undoubtedly the property of the United States. The horse supplied the place of one which had been dead, and the mules were delivered to the quarter-master at Puebla. On the 3d instant I returned to Puebla, after an absence of two weeks.

"When about to enter the town of San Juan de Teotihuican, about nine leagues from the city, report was made that the enemy, under Col. Manuel Falcon, was before us. I ordered Major Polk, with one company of rifles under Lieut. Claiborne, and one company of dragoons under Lieut. Adde, to make pursuit, while Col. Hays, with the Texans, should seize the town. My orders were executed with alacrity and effect. Seventeen of the enemy are known to have been killed—two of them by the hands of Major Polk. The remainder of the enemy's forces took to the mountains, and after a severe chase of seven miles, our men with their exhausted horses, returned. It is more than probable that many stragglers were cut down and wounded in their retreat, who were not seen by our returning forces. I cannot commend in terms too strong Col. Hays and Major Polk, for their steady and efficient support during the whole expedition; for their valuable services at Orazaba; for their skill, courage, and activity at Tehuacan, and in the encounter with Col. Falcon's forces."

SECOND REPORT OF BRIG. GEN. LANE.

"MEXICO, *March* 2, 1848.

"Major Polk advanced into the heart of the town, necessarily took upon himself the direction of his command, and performed efficient service; for the particulars of which I am also obliged to refer you to his own report."

We here subjoin Major Polk's own report:

REPORT OF MAJOR POLK.

"*Head-Quarters Cavalry Brigade,*
"CITY OF MEXICO, *March 2d*, 1848.

"SIR:—I have the honor to submit the following report of the operations of the detachment of cavalry under my command, composed of companies E and G, 3d Dragoons, commanded by Lieuts. Divver and Adde, respectively, and company I, regiment Mounted Riflemen, commanded by Lieut. Walker. On the morning of the 25th of February, when the attack was made on the town of Sequalteplan, my command on the march of the previous night was in rear of Colonel Hays' battalion of Texas Rangers, and owing to the fatigued state of the horses and the roughness of the road, was somewhat scattered.

"Making a short halt for the purpose of closing my column, I had just time to accomplish it by the light of the morning, when I discovered that the front had quickened its pace, and perceiving that the advance was commencing the attack, I moved with all possible rapidity on the town. Arriving at its outskirts, I found,

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although Brig. Gen. Lane with the main body, composed of Col. Hays' command, had passed on, there was still a fire from the Cuartel occupied by the enemy, bearing on the road through which I had to pass, which would have been exceedingly destructive to a mounted column exposed to it: I therefore immediately dismounted Lieut. Walker's Rifles, and advancing with them, engaged the enemy in a sharp and spirited skirmish. A short time sufficed to silence their fire, and directing Lieut. Walker to pursue his course to the large church on the right of the plaza, from which the enemy were sending an occasional volley, Iordered Lieut. Maney, Acting Adjutant, to return and communicate my instructions for the dragoons to advance, which was immediately done, and I advanced at a charge on the plaza, and passing through it some distance up the hill to the left, entirely dispersing the enemy in that direction, and sustaining no other loss than one horse killed by a lance. By this time the enemy in the part of the town where my command had been engaged, were completely scattered, and seeking safety by flight in small squads through the different streets. I therefore ordered Lieut. Adde with his company to keep possession of the plaza, and dividing the remaining company (Lieut. Divver's) into small parties, directed them to pursue the scattered enemy, who were endeavoring to escape, and am pleased to say they did considerable execution. While this was being transacted, Lieut. Walker had advanced and taken possession of the large church, where some of the enemy were killed, and a much larger number taken prisoners.

"Returning to the plaza, my attention was called to a body of the enemy on the hill in the rear of the Cuartel, where Gen. Lane was warmly engaged, and I directed the rifle company to open a fire in that direction, which immediately dispersed them. To my command generally, I feel justly indebted for the prompt execution of every order given; to my Acting Adjutant, Lieut. Maney, 3d Dragoons, I feel especially grateful for the prompt and daring manner in which he conveyed and executed orders. Lieut. Walker, Mounted Riflemen, gallantly achieved all that was committed to him, and with his company, well sustained the high reputation of his regiment. To Lieuts. Divver and Blood, of Company E, and Adde, of Company C, my thanks are also due for their steady behaviour during the action, and their execution on the flying enemy.

"I have the honor to be,

"Very respectfully,

"Your obedient servant,

"WILLIAM H. POLK,

"*Major Commanding Detachment of Cavalry.*"

To Lieut. HAYS, A. A. A. G.

After the close of the war, Major Polk returned to his home in Tennessee, and resumed the practice of the law. Though comparatively young, he had done enough for his reputation to spend the remainder of his life devoted to his profession, had not the extraordinary position in which the country was placed at the opening of the thirty-first Congress, furnished a new theatre of action and usefulness to the extraordinary vigor and energy of his character. The introduction of the Wilmot Proviso into the House of Representatives had given great offence to the South; and it required all the talent, prudence, forbearance and experience of the most patriotic statesmen in Congress, to reconcile the extreme views of the people in the two great geographical sections of the country. This could only be done by a compromise, which should be equally removed from the ultra views of both, and equally acceptable to the national demands of all parties. This was no easy task. The Missouri compromise was recommended at that time by a Northern statesman; but on canvassing both Houses, it was clearly ascertained that it could not pass either House; some of the Southern men considering it unconstitutional, and others not as good as

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the adoption of the non-intervention principle, which left the domestic institutions of the territories North and South of the line of 36° 30′ to the free will and action of the people.

It was under these circumstances, at a moment of great peril, with all the passions and prejudices of violent partizans unduly excited, that the committee of thirteen was appointed in the Senate of the United States, with a view, not only to act on public opinion through the wisdom of Congress, but also to afford public opinion a chance of operating on the turbulent spirits, then assembled in Washington. It was necessary to bring the whole question before the people of the Union, and to obtain a verdict through the press in favor of the rational and moderate principles first cherished and advocated, almost as a forlorn hope, by a few eminent men, but which, it was hoped, in a very short time, to see emblazoned on the national standard throughout the country. It was at that time, just after the committee of thirteen had made its report, and introduced the compromise measures in the shape of a bill, that Major Polk, at a public meeting, called at Columbia, Tennessee, introduced the first resolutions approving of the report of the committee of thirteen. The resolutions were carried, and thus a most important step taken to procure the passage of the bill by a demonstration of public opinion in its favor. This was the more necessary, as the report was from the jump violently opposed by the ultras, who desired no settlement by Congress, that they might have undisputed sway over the passions of the people of their respective sections. Had Congress adjourned without settling the grave questions submitted to its deliberation, the Constitution and the Union might have perished in the storm.

At this crisis, some of the Southern states had resolved to hold a "Souththern Convention" at Nashville, Tennessee, for the ostensible purpose of acting on Congress, and enforcing a solution of the problem more favorable to their views, but in reality calculated only to embarrass the action of that body. Major Polk, with his usual sagacity, tact and good sense, at once comprehended the real design of the originators of that movement—not a majority, it would seem, in any one state—and resolved to be a delegate for the purpose of opposing or controlling the action of the Convention. He was the delegate from Maury County, Tennessee, and as such introduced the only resolutions there presented in favor of the compromise. He did not wish to obtrude himself on the notice of the Convention, and was quite willing that an older man than himself should offer the resolution for him; but there was none who felt willing to do so; and Major Polk was not the man to shrink from the performance of a self-imposed task. No sooner was the resolution introduced, than a motion was made to lay it on the table without bestowing on it even the usual courtesy of reference to the committee. Major Polk then announced, as reported by the papers at the time, that if his resolutions were not received and treated with the usual courtesy extended to other propositions, he should leave the convention and speak to the people. He, for one, was a compromise man, and had come to the Convention the representative of compromise men, and not for the purpose of throwing a firebrand among the combustible materials which were then accumulating in all parts of the country. Whereupon the motion to lay on the table was withdrawn, and the resolution of Major Polk referred with the rest. When the vote was finally called by states, each state giving but one vote, each

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delegation determined among its own members, how the state should vote. Major Polk, with two others, voted against the address which was afterwards adopted by the convention.

The second Nashville Convention was held in November, 1850, after the passage of the compromise measures by Congress. Major Polk was again a member, and again supported the compromise which had then passed into a law of the land. But seven states were partially represented, viz. :—South Carolina, Alabama, Mississippi, Georgia, Tennessee, Virginia, and Arkansas. It was clear in the outset, that the Convention had met to oppose the law, and that resistance to it was the object of the meeting. Mr. Clay, of Alabama, introduced the secession resolutions which were afterwards adopted, which, being referred to the committee, were reported back again to the convention without alteration. When they came up for consideration, Major Polk rose, and presented the resolutions which had been agreed upon in the Tennessee delegation, and which were strongly in favor of the Union and the Compromise, in lieu of them; declaring that he did so to ascertain who was for, and who against the "Union of the States." He should call for the ayes and noes on the subject, and on the vote being so taken, the Tennessee delegation voted for the resolutions introduced by Major Polk. When Major Donelson, who, with Mr. Nicholson, supported the position taken by Major Polk, obtained the floor, the previous question was called and sustained, upon which Major Polk and his friends declared that Tennessee was about to cut loose from the convention, which had met for disunion purposes, and withdrew. At a public meeting then called, Major Donelson made the speech which had been choked in convention, and Major Polk went home to his district to denounce the convention, the resolutions, and the actors in that melancholy episode to our national history. Soon after Major Polk became a candidate for Congress; the friends of the compromise pitting him against Mr. Thomas, the late member, whose course in regard to the subject having been rather vascillating, had given dissatisfaction to the voters in the district. The usual democratic majority in Mr. Polk's district is twelve hundred; but Major Polk was sustained by a majority from each party, and elected by thirteen hundred. This was another Union triumph; paving the way for others which have since secured the triumph of the constitution and the perpetuity of the Union.

Major Polk is a man of fine personal appearance, tall and well-proportioned. His forehead is high and commanding, and his brilliant hazle eye and firm-set lip mark him as a man of will and decision. His complexion is dark, and the general character of his features expressive of frankness and sincerity. In his intercourse with the world he has always been marked for cordiality of manners, great directness of purpose, and a vein of satirical humor which gives his conversation a quiet, unobtrusive charm, not usually met with in men of official positions. His ruling mental characteristic is strong common sense, and a dislike of the merely rhetorical and ornamental. He will be an acting member of the body to which he has been elected, not merely a speaking one.

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FINANCIAL AND COMMERCIAL REVIEW.

The money market remains very easy, and the movements of specie begin now to affect the operations of the banks in a less degree, notwithstanding that the exports of November are about $6,000,000. The fact that specie is a staple export of the country, and that it will hereafter enter largely into our commerce, consequently keeping always the exchange at par or under the specie rate, is coming to be understood. That a greater or less demand for specie will take place at certain seasons of the year, according to the supply of other bills, is inevitable. In the winter season, when cotton presses forward freely, with good confidence in the bills drawn against, the rate may fall so as to check for the moment the flow of specie; but this will at once be resumed, and go to the full extent of the surplus production. This "surplus" will of course be continually varying in extent according to the degree in which paper credits disturb the quantity in circulation. It is to be supposed, however, that the banks of the seaboard, which are most readily within reach of the exporters of the metal, will protect themselves by the increased care in making discounts. If they adhere to their legitimate business of discounting short business paper, maturing without renewal in a limited period, the flow of specie cannot affect them. Hitherto the safe rule has been supposed 90 days within which paper should mature, to keep the funds of an institution within its complete control. Hereafter it may be necessary to keep a larger amount of specie on hand, and curtail the credits to an average of 60 days, and business will by no means suffer in the exchange. Where such large bodies of specie move in a short time, the reservoirs whence it is drawn must have greater capacity, and a bank which has its assets due from city merchants in 60 days, can so reduce the market as to make gold worth its weight in diamonds for a short period. The exports of specie will "regulate" the market, making greater skill, and perhaps less profits, necessary to the banking business.

There is another light in which this export of specie is to be considered, and that is the duties. The customs this last year yielded over $51,500,000, which s double what it ought to have been. This amount was collected from the returns of cotton and breadstuffs sold abroad, to the extent of nearly $190,000,000. Now, if to that export is to be added $60,000,000 worth of gold, a corresponding tax on the returns will swell the duties to $66,500,000; and as the product of California increases, this dangerous revenue will swell in magnitude. It is obviously the duty of Congress to reduce the duties one-half at their next session, in order not only to reduce the revenue, but to remove the restriction which some of those duties put in the way of selling produce. Thus, the crops of Germany and Western Europe have almost entirely failed, and those countries, if peace is preserved, must purchase largely of western produce, as well as of tobacco. To facilitate direct intercourse, the duties on the articles which they tender in payment ought to be removed. It is the coarse crops—those which yield the best profit to western farmers—which will be in demand. Already the German millers and bakers are in Paris buying old, coarse grains to substitute

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for the rye crop; and cargoes in England, afloat, are purchased for the same destination. The large exports of gold which will undoubtedly take place, are guarantees that the total removal of duties on a very long list of those articles which most facilitate our European intercourse, would in no degree jeopard the revenue. This advance toward free trade is required not only by western, and southern, and northern interests, but it is the inevitable result of the great general movement towards more liberal governments.

The advices from abroad indicate that the tide will turn before long, and probably would have done so already but for the discredit which attaches to cotton bills. Money in London has been refused at 2 per cent. per annum, and there is every indication that capital will find its way here for employment, although prices for produce have fallen, that for cotton particularly, under the impression that the crop here will be very large. This decline helps the export of specie, by imparting want of confidence to bills; but the apprehensions of any serious drain seem to have passed from our banks, which are again disposed to lend freely. The dividends of the banks in Boston, New-York, and Philadelphia, have been declared for the year, and exhibit large profits, notwithstanding the increased capital. In New-York there are ten institutions, with $5,551,650 of capital, which have not yet been in operation long enough to declare their first dividend.

The following table shows the Banks now in operation, their capitals and dividends, for 1850 and 1851:

CAPITAL AND DIVIDENDS OF NEW-YORK CITY BANKS.

	Capital.	1850. Div'd.	1851. 1st.	1851. 2d.	Am't.
‡ Bank of America,	2,001,200	7½	150,090	4	4	160,096
* Bank of New-York,	1,000,000	10	100,000	4	5	90,000
* Bank of the State of New-York,	2,000,000	8	160,000	4	4	160,000
‖ Butchers' and Drovers' Bank,	500,000	10	50,000	5	5	50,000
* City Bank,	720,000	10	72,000	5	5	72,000
* Greenwich Bank,	200,000	10	20,000	5	5	20,000
‖ Leather Manufacturers' Bank,	600,000	8	48,000	4	4	48,000
‖ Manhattan Company,	2,050,000	7½	153,750	4	4	164,000
† Mechanics' Bank,	1,440,000	10	144,000	5	5	144,000
* Mechanics' and Traders' Bank,	200,000	10	20,000	6	6	24,000
† Merchants' Bank,	1,490,000	10	149,000	5	5	149,000
§ National Bank,	750,000	8	60,000	5	5	75,000
‡New-York Dry Dock Company,	200,000	10	20,000	5	5	20,000
‡ Phenix Bank,	1,200,000	7	84,000	4	4	96,000
‡ Seventh Ward Bank,	500,000	8½	42,500	4½	4½	45,000
‡ Tradesmen's Bank,	400,000	12½	50,000	6¼	6¼	50,000
* Union Bank,	1,000,000	10	100,000	5	5	100,000
* American Exchange Bank,	1,500,000	10	150,000	5	5	150,000
‡ Bank of Commerce,	4,598,900	8	367,912	4	4	367,912
Bank of North America,	1,000,000	new			
‖Bank of the Republic,	1,000,000	new			
* Bowery Bank,	356,650	8	28,532	4	4	28,532
† Broadway Bank	500,000	8	40,000	4	4	40,000
Chatham Bank,	300,000	new			
‡ Chemical Bank,	300,000	12	36,000	6	6	36,000
Citizens' Bank of City of New-York,	350,000	new			
* Fulton Bank,	600,000	10	60,000	5	5	60,000
Hanover Bank,	461,050	began May 10, 1851.			
Irving Bank,	300,000	new			
† Mechanics' Banking Association,	632,000	8	50,560	4	4	50,560
Mercantile Bank,	600,000	new			
‡ Merchants' Exchange Bank,	1,235,000	8	98,800	4	5	111,150

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	Capital.	1851. Div'd.	1851. 1st.	2d.	Am't.
‡ Metropolitan Bank,	2,000,000	began May, 1851.			
New-York Exchange Bank,	129,000	new			
‡ North River Bank,	653,000	4 *a* 26,200	5	5	65,500
‡ Ocean Bank,	1,000,000	new	5	5	100,000
† Pacific Bank,	422,700	Jan., 1851	4	4	33,816
People's Bank,	411,600	new			
Knickerbocker,	200,000	began Oct., 1851.			
Grocers',	300,000	began Oct. 29.			
Empire City,		new			
* Hudson River,			4		
† Delaware and Hudson Canal Company,			5		
Total Capital,	35,103,100	2,271,344			2,510 506

Capital paying dividend 1850—27,440,270 ..... 1851—28,051,450

* Dividend paid May and November. † Dividend paid June and December. ‖ Dividend paid February and August. § Dividend paid April and October. ‡ Dividend paid January and July.

a The North River Bank passed its dividend in 1850, because of the difficulty with the cashier.

The comparative capitals in the three cities that have earned dividends during the year are as follows:

	Capital.	Dividends. Amount.	Per cent.
New-York	$28,051,450	$2,510,566	8.93
Boston	22,710,000	1,754,375	7.68
Philadelphia	7,725,000	747,500	9.67

The dividends are the smallest in Boston; but it is because the capital multiplied there the most rapidly. In New-York the chances are that the ratio will next year be diminished under the competition of the new capital. One of two things must happen—either the discounts must fall, or the expansion must be very great. Comparatively, for two years, the figures have been as follows:

	1850. Capital.	Dividend.	Per cent.	1851. Capital	Dividend.	Per cent.
New-York	$27,440,270	$2,278,987	8·69	$28,051,450	$2,510,566	8.93
Boston	20,710,000	1,534,400	7.68	23,660,000	1,744,375	7.68
Philadelphia	7,725,000	761,250	9.80	7,725,000	747,500	9.67
Total	55,875,270	4,574,637		59,436,450	5,002,441	

There has been a marked increase in capital, except in Philadelphia, where the high rate of profit may mostly be ascribed to the want of bank competition.

here is now in operation in New-York $35,103,100, and one million in addition just organized—making an increase of 25 per cent. in the capital, which is to contend for the business of the coming year. The connections of the old banks are such as to expose them more to the action of adverse exchanges than are those of the new institutions, because the latter have less direct dealings with the importing houses, while, on the other hand, the new banks have a broader scope for profits. The old chartered banks are limited in their loans to two-and-a-half times their capital, while new up-town banks are unlimited. If we compare an old chartered bank with an old free bank of nearly the same capital, we find results as follows:

	Capital.	Loans, &c., drawing 7 per cent.	Interest at 7 per cent.	Per cent. of capital.
Merchants'	$1,490,000	$3,399,174	$237,942	16
American Exchange	1,500,000	4,591,967	321,347	21

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Both these banks pay 10 per cent., but the former has $303,403 surplus, and the latter $424,058. The Bowery, an up-town institution, has been just three years in operation, with a capital of $356,650. It has paid in that time six dividends of 4 per cent. each—making $89,162, or 24 per cent. of its capital, and has a surplus of $65,210—making together 43 per cent. of its capital, earned in three years. These profits show that the bank inflation has but now commenced, and must extend itself in the coming year. Vermont, Massachusetts, New-Jersey, Ohio, and Illinois, have now banking laws like that of New-York. Michigan has several banks on the same plan, but no general law for their establishment. Efforts will be made in Pennsylvania, Maine, Maryland, and Virginia, this winter, to pass general laws to bank on the stocks of the respective states; and, in some cases, these will be carried with little difficulty. The number of new banks reported in various localities for November, is 30.

The fact that we are a specie-producing and exporting country, should, however, be borne in mind; and whatever tends to depreciate its value, as the creation of paper money to compete with it in circulation, will hasten it out of the country, and diminish the quantity of foreign products which we may get in return for it.

The returns of the New-Orleans and Philadelphia Mint for October enables us to complete the following table of gold deposits from January to November 10:

DEPOSITS OF GOLD.

	New-Orleans.	Philadelphia.	Total.
Nine months	$6,311,347	$31,398,445	$37,709,792
October	299,749	4,745,000	5,044,749
November to the 25th	1,400,000	5,580,600	6,980,600
Total	$8,011.096	$41,724,045	$49,735,141
Same time in 1850	3,674,062	28,550,000	32,224,062
Increase	$4,337,034	$13,174,045	$17,511,079

At New-Orleans there was no coinage in September, owing to the repairs of the machinery,

The exports of American gold in this period have been $26,500,000, leaving twenty-four millions increase of gold currency in less than one year. The accounts now received from California in relation to the great success of the quartz mining, show inevitably that the supply will next year exceed by far any calculations that have been hitherto made, and that as a consequence there will be never again a cessation of gold export. It is one of the great staples which will pass out of the country in quantities proportioned to the excess of its production over the wants of the country; and it will be observed that, as there is no comparative consumption of the article among us, after the channels of trade are once supplied, the gold will be of no value, unless a foreign market can be found for it. And in proportion to the extent to which foreign commodities can be procured for it, will the "crop," so to speak, be more or less valuable. It follows from this, that *par* exchange is really the relative value of gold money at home and abroad, and the cost of transportation, as that article becomes a staple export, exchanges can hereafter never vary much from the gold shipping level.

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To illustrate: the exports of the country are now in the following proportions, per trade of 1850:

Cotton	$72,000,000
Tobacco	10,000,000
Other raw produce	36,814,470
Manufactures	16,050,115
Specie	2,046,679
Total	$136,911,264

In return for these exports, and the profits on them added to profits of freights, we sent abroad $178,138,318 worth of property, of which $4,628,792 was gold and silver. Now it will be observed that this interchange of the products of industry between the United States and other countries took place without the intervention of specie. The exported produce furnished a supply of exchange which met the demands of importers of goods, and generally exceeded that demand, because the rate of bills did not rise to the point which permitted the export of specie, but on the other hand kept below that point at the periods of the year when cotton goes forward most freely, and imports are least in amount. The price of exchanges did not, however, sink to that point, 105½ a 106, which will pay to import specie largely from England. Now it is obvious that if our exports of $30,000,000 of gold per annum, as this year, is to be added to the above exports, the corresponding import of goods would be $210,000,000. This would give a demand for bills equal to $73,000,000 in excess of that derived from produce other than gold. This demand would scarcely sustain the rate of bills at that point which makes it profitable to ship that gold, say 110¼ the year round. The moment the shipment of gold is slightly in excess, the competition of other bills would sink the rate, and stop the shipment until that excess is compensated. This will undoubtedly be the future course of the market; but it will not therefore necessarily interfere with the course of the banks. As long as those institutions conduct a sound business in commercial paper, no apprehensions need be entertained of their solvency. It is only when banks deviate from sound principles that they place themselves in jeopardy. The quantity of the precious metals which leaves the country has no direct connection with legitimate banking, which is the advancing upon paper regularly maturing within a given number of days. The shorter the dates at which that paper matures, the more directly the bank has its means within its own control, and 90 days has hitherto been the limit of safety. It may be the case that hereafter 60 days will be the limit, or that the institutions must keep a much larger cash reserve on hand. In either case the effect is to diminish profits. These are, however, now being curtailed in another mode, viz., the exorbitant profits, banking having led to such competition as must necessarily reduce the profits in the aggregate.

If large quantities of specie are to leave the market after coming from mint, there must be a place of deposit; and if the banks admit these deposits, they cannot loan upon them. The ordinary deposits of the banks are not generally subject to be demanded in specie, because they are usually appropriated to the payment of accruing checks and notes, and so long as the notes discounted are strictly commercial in their nature, they will retain the deposits within bank

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control. But what is wanted is, a general depository for the gold of commerce, like warehouses for goods, tobacco, &c. This is naturally a mint. If such an institution were located here at the centre of commerce and financial arrangements, it would not only save the passengers who pass through New-York for their homes in the interior a large sum, but it would be the common receptacle for gold, whence it would be drawn for export. It comes and passes out without in any way connecting itself with banking operation. The movement of gold will require more skillful banking to be safe, and probably less profitable than the inordinate sums now received by these institutions.

During the past ten months cotton has fallen rapidly in value, and the manufacturers, both at home and abroad, as usual under such circumstances, refrained from buying more than was necessary for the day, gradually working up their reserve stocks,—thus throwing the loss incident upon declining values upon dealers, and they have suffered much during the year. Like all things else, this decline reached its end. The very extraordinary combination of circumstances likely to produce large demands for cotton, viz., low stocks in the hands of manufacturers, cheap money, cheap food, cheap raw materials, and general good employment, led to the belief that a crop even as large as 2,700,000 bales in the United States might not prove sufficient, and the trade entered the market freely. In Liverpool the sales weekly were as follows, for four weeks:

Week ending	Sales to trade. 1850.	1851.	Total sales, 1851.	Fair.	Prices no. Mid.	Ord.
Oct. 27	26,740	23,010	40,940	5½	4,11-16	3⅛ a 4
" 31	28,410	38,550	46,100	5¼	4.9.16	3 a 3⅞
Nov. 7	16,130	48,000	58,820	5¼	4,12-16	3¼ a 4¼
" 14	45,160	49,830	70,640	5¼	4,14-16	3⅜ a 4¼
Total	116,740	149,390	226,500			
U. S. consumption	37,640	59,049				
Total spinners	154,380	208,439				

Thus, in four weeks, the United States and Lancashire spinners took 50,000 bales more than last year. The purchasers in the United States sustained the prices above foreign orders, and checked shipments, more particularly that owing to low water and the low prices, receipts were backward. For the coming year, therefore, the markets for all produce look well, and the indications abroad are, that the next great speculative employment of accumulated British capital will be in United States works of public improvement; no other channel seems to present itself.

All the returns of traffic that have been made of the lines of rail-roads show for the month of October a great increase over the corresponding month last year. In no instance, as far as those returns have been made public, has there been a decline, and in the aggregate the increase of business for the year thus far has been very considerable. Some of the main lines are as follow:

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REVENUES OF PUBLIC WORKS.

		1850.	1851.	Increase.
Wabash and Erie canal, Ind.,	to Nov. 1	$174,299	$189,978	$15,679
Ohio canal	Sept. 1	399,272	468,112	68,839
Illinois and Michigan, Ill.,	Oct, 1	76,515	97,254	20,739
New-York canals	year to Oct. 1	2,162,190	2,398,541	236,351
Erie rail-road	Nov. 1	1,300,140	2,668,556	1,368,416
Northern line	year to Oct. 1	2,896,042	3,475,250	579,208
Michigan Central	Nov. 1	752,037	999,720	247,683
Michigan Southern	"	92,966	180,543	87,577
Vermont Central	"	209,700	510,500	300,800
Philadelphia and Columbia	"	317,894	358,243	40,349
New-York and Harlem	"	413,231	521,387	108,156
Stonington	year to Sept. 1	180,772	201,332	20,560
Cleveland and Columbus, new	five months to Nov. 1	~~———~~	~~204,207~~	~~204,207~~
Total		8,975,058	12,357,313	3,389,254

This is an increase of 45 per cent. in the aggregate travel, and affects all the states, and all sections of all the states, showing an all-pervading prosperity, a surplus of productions, and a more active interchange of those productions, as well as of travel. The low prices which abundance of produce and inadequate demand have conspired to establish upon the seaboard have, to a very considerable extent, checked transportation in the last weeks of the present fall. Large supplies of produce have remained in the interior, which, under an adequate demand, would have poured over the public works to market. It is also the case, that the facilities of rail-road travel in the winter induce many to delay forwarding, who would otherwise, as formerly, hurry the stuff to market before the close of navigation. High prices for produce, consequent upon foreign demand, would bring forward immense supplies during the winter months, and thus make the rail-road receipts for that season greater than for the autumn. In New-York the tolls on the northern line of rail-roads, on the Erie canal, and the Erie rail-road—the three great routes East and West—have all shown an immense increase. The tolls of the three routes in 1850 were $6,358,372, and in the same time this year $8,541,347. The Erie rail-road last year was not open through; but all the "through" traffic of the state and local traffic paid this year $2,182,975, or 25 per cent. more tolls, although the rates of canal tolls were reduced As a whole, therefore, the internal trade of this state has increased 25 per cent. in the last year, and the internal trade of Michigan in a still greater ratio, as indicated by the traffic of the two rail-roads which traverse the state transversely. They yielded last year $845,003, and this year $1,180,253 —increase $335,250, or 40 per cent. The Ohio canals also show an increase, notwithstanding the rapid multiplication of rail-roads, and the degree in which their tolls increase. Results so gratifying not only indicate the unparalleled prosperity of the country as a whole, but also the means which exist of paying indebtedness. The pressure in the money market—mostly got up by protectionists and bankers for effect, in September last—has disappeared, and the abundance of money, and the renewal of credit, fully justify the views we then took of the matter. The export of specie continues as a staple export, and, although over six millions will have left New-York in the month of November, it has ceased to influence the market, and will probably never again do so. The

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accounts from abroad, showing large sales and advanced prices in cotton, indicate the turning-point in that article, and thus will probably not only induce larger exports of that article, but also so enhance confidence in the cotton bills as to reduce the rate of exchange.

POLITICAL.

The repeated triumphs of the democratic party, in all the fall elections, demonstrate that the return to the sound principles, which are eternal truths, of the party of the people, is general and effective. The introduction of the slavery question, as a means of disorganization, ran precisely the course which it did in 1821. It was used by demagogues to divide the democratic party, and throw the government into the hands of the federalists. It is a remarkable fact, that when by such means, with the co-operation of apostate politicians, reprobate parsons—false alike to their people, their principles, and their professions—pandemonium philanthropists, with the smile of Judas in their face, and the rancor of hell in their hearts—men, whose professions are peace, and whose discourse is of popular advancement and mental improvement—while they insidiously foment sectional jealousy, excite sectarian spleen, promote enmity between classes of men—stir up national animosities, by preaching custom-house retaliations, and exert themselves in every mode to precipitate bloodshed and civil strife, in order that their pitiful ambition and love of notoriety may be gratified—with foreign intriguers and intestine traitors, federalism obtains power, a course of political corruption, gross bribery, and profuse squandering of the public money ensues, and so disgusts the people as to override all other questions, and unite the people in the single object of purification by ballot. Defalcation, fraud, and open corruption, manifest themselves in every grade of patronage, from small municipal officers to cabinet ministers. Every means is resorted to, to obtain money, and all justice disregarded in its disbursement. It is in vain to ascribe this or that local reason for particular sectional triumphs; such personal local influences may affect the politician, but nothing but a deep and general sense of wrong would have produced so wide-spread and radical a revolution as the general result of 27 democratic governors in 30 states. Among them, the triumphs of Boutwell, in Massachusetts; of Bigler, in California; of Bigler, in Pennsylvania; of Wood, in Ohio; and of the signal success of Foote, in Mississippi, and Cobb, in Georgia, are the most cheering to the patriot. In New-York, there being no election for governor, the chief object, beyond municipal officers, was the control of the canal board. This was achieved under most gratifying circumstances, a complete revolution being, at the same time, effected in the government of New-York city, and in the finances of the state. The whig party, years since, in New-York, attained power chiefly by the support of the anti-renters, purchased by the promises of Governor Young, and they lost it again by betraying that confidence, as usual with them, when an alliance between one portion of the whig party and the Van Burens so divided the democrats, that the anti-renters lost their influence. The Van Buren faction having "sloughed off" from the defeated democrats, and the possession of plunder having divided the federalists, the democratic party proper, with the anti-rent vote, has recovered its rights. The triumph would have been more manifest and complete, but for the injudicious nomination of men who, fresh from those Van Buren intrigues, which have cost the party so dearly, could not be expected to command the confidence of the people. So completely has federalism been destroyed by its own corruption, that it may well be doubted whether it can make head against the popular current in the campaign of 1852. There should, however, be no relaxation from democratic exertions. The snake may be only scotched. It is necessary to kill it.

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SCIENTIFIC.

In our last number (p. 476) we gave the ductility, elasticity and tenacity of one inch of the hair of the head of his Excellency General George Washington; upon subjecting that of his Excellency James Madison to the same instrument, Mr. Browne found the following result:

One inch of the hair of his Excellency James Madison, tried 4th March, 1849, (Bar. 30; Ther. 68; Dew point 67.)

Weight.	Ductility.	Elasticity.
With 183 grains.	1-90 of an inch.	Entire when the weight was removed.
" 233 "	2 "	"
" 263 "	3 "	"
" 293 "	4 "	"
" 325 "	5 "	"
" 343 "	6 "	Minus 1-90
" 363 "	7 "	" "
" 373 "	8 "	" "
" 383 "	15 "	3-90
" 393 "	16 "	5-90
" 403 "	20 "	7-90
" 413 "	25 "	11-90
" 423 "	30 "	16-90
" 453 "	34 "	19-90
" 493 "	35 "	21-90
" 503 "	36 "	23-90
" 523 "	broke	—

The reader will, no doubt, be struck with the difference between these two hairs—Washington's showed a disposition to stretch with a weight of 170 grains; Madison's required 183. That of Washington's retained its entire elasticity until it was loaded with 770 grains; Madison's began to depreciate, in this respect, with 343. Washington's parted with not less than 1,120, and Madison's with 523 grains.

Whether the strength of the hair of the head is or is not indicative of the *vitality* of the person, we will not *now* discuss; it would be premature, until we have recorded the results of some other experiments. Besides, we are of opinion that the differences between the two hairs above alluded to, may fairly be attributed to other causes.

We will premise, that it is not due to difference in *size*, for the small diameter of Mr. Madison's hair is *greater* than that of Gen. Washington's; the latter, (as it will be recollected,) was in diameter 1-312 by 1-500, the former is 1-416 by 1-500. But the lock of hair of Mr. Madison, now in the cabinet of Mr. Browne, (presented the 6th of January, 1849, by his widow, Mrs. D. P. Madison,) was from hair preserved by her in his life-time from the *combings* of his head; and it was, therefore, a collection of hair that had *come to maturity*, and was ready to be removed as effete matter with the slight force of the comb. It is therefore submitted, that the deficiency in strength of the hair in question, when compared with that of General Washington, is one link in the chain of presumptive evidence, that hair of the head arrives at its climax of *strength* with that of its *growth, before it falls* from the head.

Henlè, who understands the organization of a hair as well as any person living, describes the buttons of hairs that *fall out*, as *shrunk;* and Mr. Browne discovered the same appearance upon the buttons of the hairs of Mr. Madison. But we must not anticipate ourselves, as we design to speak of the *buttons* of hairs hereafter.

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MISCELLANEOUS.

BROUGHAM'S LYCEUM.

At this house, Mr. Neafie produced the prize play of Mohammed, written for Mr. Forrest by George H. Miles, Esq., of Baltimore, but the representation was not attended with any considerable success. Mr. Neafie is a promising young actor, but he has not yet succeeded in discarding the faults of the melo-dramatic school in which he received his early education. At the conclusion of his engagement, the Roussett Family re-appeared, and produced the celebrated ballet La Bayadere. Of the dancing, it is almost unnecessary to speak, further than to say that Caroline and her sisters acquitted themselves with their usual grace and elegance. The music was rendered as well as could be expected. Leach made a very good Olifour; and a Mr. Alleyne, announced as a new tenor, was cast for the Unknown; he is evidently a novice on the boards, but managed to get through his part cleverly, without displaying any considerable musical ability. Miss Barton as Ninka formed the principal feature, and received the deserved compliment of an *encore* for her singing of the ballad "Whene'er a friend is in need." She has always been an excellent aid at Brougham's in operatic pieces, and we trust that she will rise in her profession as rapidly as she deserves. Kossuth's Kum, a witty trifle from the pen of the industrious manager, contains some good hits at the times, and has amused the audiences as an after-piece. Miss Cushman commenced an engagement on the 24th instant, as a sort of foil to Forrest at the Broadway. The house was fairly filled at her representation of Hamlet. The character was played with spirit, but she was not perfect in the text, and her false readings were many and glaring, betraying not only a want of acquaintance with the spirit of the author, but a bad taste in the substituted phrases.

ITALIAN OPERA HOUSE.

Lured by a delusive hope, Max Maretzek re-opened the Astor Place Opera House for a season of twenty nights, the greater part of which number have already passed, but there has been a succession of poor houses. A fatality is connected with the opera house; people do not go there with the hearty relish manifested last summer at Castle Garden; Max could have filled a larger house at low prices, but we fear that not many of the real lovers of music can afford to pay one dollar for the same amusement before enjoyed at half the sum. Norma, La Favorita, Maria Di Rohan, and Ernani have been presented, but as yet we have had only Steffanoni, Pico, Bettini and Marini. Other artistes have been promised, and will probably appear before the close of the season.

BROADWAY THEATRE.

Mr. Collins has been playing his round of characters at this theatre to poor houses; who can wonder at this? Mr. Collins has not the manners of the genuine Irishman, neither the rollicking humor, the ready wit, nor the easy off-hand address: his Irishism is exceedingly cockneyish, and he cannot compare with many comparatively unknown who have appeared on the stage with less *eclat*. Mr. Forrest has re-appeared, and produced his celebrated play of Metamora, to an overflowing house. The Last of the Wampanoags succeeded it. Theatricals for the coming month promise well, with Mr. Forrest at the Broadway, Miss Cushman, and Mrs. Forrest, who will make her

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debut at Brougham's—it is a singular taste that should lead a lady possessed of an independency of $1,500 per annum to go upon the stage—the Ravels at Niblo's, and German, French and Italian Operas and Vaudevilles at the Astor Place Opera House, amusement-seekers will have ample opportunities to gratify their various tastes.

NIBLO'S GARDEN.

The Ravels continue their extraordinary performances at this house, nightly attracting large audiences, and delighting them with their unequalled performances. For many years the Ravel Family have been before the public, and their popularity has been constantly on the increase, until at last they have become firmly established as one of the great features of attraction with New-York sight-seers. Mazulm, the Night Owl, has been revived in all its former splendor. M. Blondin is receiving encomiums from all quarters; he is a daring performer, and many of his feats surpass anything of the kind ever before exhibited.

NOTICES OF NEW BOOKS.

Fall of Poland; Containing an Analytical and a Philosophical Account of the Causes which Conspired in the Ruin of that Nation, together with a History of the Country from its Origin. By L. C. Saxton. 2 vols., 12mo., pp. 563 and 621. New-York: Charles Scribner.

The author of these volumes has undertaken his task as if it was to be the last, the final effort to draw the features of that glorious nation, whose light has disappeared, perhaps forever, from the European constellation. After a few years under the iron sceptres of Austria and Russia, scarce anything will remain of the former state and glory of Poland, unless it be some sparks of that invincible spirit of freedom, which, it is said, can never be entirely extinguished in the human bosom. He has entered upon his labor with full purpose to make his work conform to the standard of the best pieces of historical composition. The view which he has taken of his subject may, therefore, be regarded as complete, as presenting it in every light, and weighing and testing the importance of principles, as discussing the influence of measures, and showing the causes of misfortune to Poland. Accordingly, the titles of the chapters embrace departments of historical knowledge, and the whole, grouped together, comprise all that is of general interest in a historical or philosophical view of this nation. We are pleased that the author has not "sacrificed sense to sound"—that he has not, as is often the case, bestowed more care upon rounding the sentences than upon the verification of facts.

The Golden Legend. By Henry Wadsworth Longfellow. Boston: Ticknor, Reed & Fields.

This book having reached us just as we were on the eve of publication, prevents us from giving an extended notice, or even any notice of its merits. We can merely speak of its appearance, and in this respect its typography, &c., reflect credit upon the publishers.

Poems. By Richard Henry Stoddard. Ticknor, Reed & Fields, Boston.

From Mr. Stoddard's well known abilities, we expected a good book of poems, nor have we been disappointed; we might find faults were we disposed to seek for blemishes instead of beauties, but they are the faults of every young writer—imitativeness and occasional weakness. Mr. Stoddard is a master of melody; our ears are not tortured by discordant rhymes, or stumbling measure, and we can excuse the Tennysonian finish for the sake of the original thoughts. The volume is very neatly issued.

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THE WOODBINE. A Holiday Gift. Edited by Caroline May. Lindsay & Blackistone, Philadelphia.

Miss May has already appeared before the public in two volumes—one, a compilation of the American Female Poets, and the other, Treasured Thoughts from favorite Authors. The present volume contains more of her original writings than those we have mentioned. Among the contributors we observe the names of George W. Bethune, D. D., Samuel H. Turner, D. D., Clement C. Moore, LL. D., Thomas Addison Richards, Charles Carroll Leeds—one of our contributors—and several others whose names are familiar to our ears. The volume reflects great credit upon the publishers for its external appearance, and the editor cannot be too highly praised for the reading matter, both original and selected.

A CATECHISM OF FAMILIAR THINGS; Their history, and the events which led to their discovery, with a short explanation of some of the natural phenomena. For the use of schools and families. By Emily Elizabeth Willement. Carefully revised by an American Teacher. Lindsay & Blackistone, Philadelphia.

A very useful book in the sphere for which it is designed—containing a great deal of useful information, and well calculated to aid youthful scholars in their studies.

LEAFLETS OF MEMORY: An Illuminated Annual, for 1852. Edited by Raynal Coates, M. D.; with twelve Engravings. E. H. Butler & Co., Philadelphia.

This favorite Illuminated Annual has reached its eighth volume, and is issued in a style not inferior to any of its predecessors. The embellishments are mostly of a pleasing, domestic character, and the literary contributions highly respectable. In point of typographical execution, this volume is entitled to great commendation; but the binding, though more substantial than is usual in works of this kind, is not in the best taste, and lacks the high finish of English workmanship.

THE NATURAL HISTORY OF THE HUMAN SPECIES. By Lieut. Col. Chas. Hamilton Smith, R. N. Gould & Lincoln, Boston.

It is with great pleasure that we hail the appearance of works upon this great subject, inasmuch as that it manifests a growing interest in it on the part of the public. It is one which has hitherto been treated in a theoretical manner on a basis of assumed facts and imagined circumstances. The unity of the human race was not long since regarded as a thing fixed according to Mosaic history. It is now demonstrated that the origin of man was diverse, and that races have, since all time, been what they now are. The great work of W. R. Van Amringe, Esq., was the first to place the question on the psychical differences of the races, and the actual investigations of Paul A. Browne, Esq., of Philadelphia, into the subject of hair and wool, have established the fact that the negroes have true wool. The work of Hamilton Smith is well worthy of a careful perusal.

BRAGGADOCIO: A Book for Boys and Girls. By Mrs. L. C. Tuthill. Charles Scribner.

This is one of a very entertaining series of juvenile tales, entitled "Stories for Summer Days and Winter Nights." Illustrated, and well got up by Mr. Scribner.

FLORENCE, the Parish Orphan; and a sketch of the village in the last century. By Eliza Buckminster Lee. Ticknor, Reed & Fields, Boston.

This story is well meant probably for a juvenile tale, but we doubt the expediency of attempting to inculcate morals, reasoning and statements, that riper judgment condemns as unsound, if not actually silly.

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